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### An Act respecting High Schools and Collegiate Institutes.

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NOTE.—All additions and amendments to Revised Statutes are, in Italics Those now introduced for the first time are marked "new."

**HIS MAJESTY**, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

#### GENERAL.

5 **1.** This Act may be cited as "*The High Schools Act*," 59 V. Short title. c. 71, s. 1.

**2.** Where the words following occur in this Act they shall be construed in the manner hereinafter mentioned, unless a contrary intention appears; Interpretation.

- 10 **1.** "High Schools" shall include Collegiate Institutes. "High Schools."  
**2.** "Municipality" shall mean a city, town, incorporated village or township, but shall not mean a county. "Municipality."  
**3.** "County" shall include counties united for municipal purposes. "County."
- 15 **4.** "District" shall mean the municipalities and parts of municipalities over which the high school board of trustees has jurisdiction as a corporation. District.

"County pupils."

5. "County pupils" shall mean pupils whose parents or guardians reside in the county in which the high school attended by such pupils is situated, but not within the limits of such high school district.

"Resident pupils."

6. "Resident pupils" shall mean pupils whose parents or guardians reside in the district in which the high school attended by such pupils is situated; or whose parents or guardians are assessed for an amount equal to the average assessment of the ratepayers of the district. 5

"Non-resident pupils."

7. "Non-resident pupils" shall mean pupils whose parents or guardians do not reside in the county, city or town separated from the county in which the high school attended by such pupils is situated. 10

"Permanent improvements."

8. "Permanent improvements" shall mean such expenditure as may be necessary for the purchase or rental of a residence for the teacher, or for the purchase or rental of a school site and the erection or rental of a school house, or for the enlargement of both or either of them, or for permanently changing the system of heating and ventilation, the erection of fences, outhouses and gymnasium, or for the purchase of school furniture, maps and apparatus, library, and all other appliances required by the Regulations of the Education Department for High Schools. 15 20

"Maintenance."

9. "Maintenance" shall mean such expenditure as may be necessary for ordinary repairs in the teacher's residence or for the improvement of the grounds attached thereto, and for the salaries of teachers, officers and servants of the board and for conducting the entrance examination prescribed by this Act and for repairs to school buildings, outhouses, gymnasium, and fences and for the improvement of the school grounds, the repair of school furniture, insurance of the school property, and sundry expenses for ordinary school purposes and such annual additions to the library, apparatus, and other school appliances as may be required by the Regulations of the Education Department for High Schools, *and shall also include gratuities and retiring allowances granted to teachers.* 25 30 35

*The above s.-s. 9 was amended by sec. 2 of ch. 54, Acts of 1900, p. 183, by adding the words printed in italics.*

"County judge" or "judge."

10. "County Judge" or "Judge" shall mean the senior Judge of the county in which the high school is situated, provided he is not a member of the High School Board and is able to act, but if he is a member of the Board or is unable to act, then the term shall mean the junior County Judge if not a member of the Board and if able to act, but otherwise the term shall mean the Judge of the adjoining county with the largest population according to the last Dominion census. R. S. O. 1897, c. 293, s. 2; 63 V., c. 54, s. 2. 40 45

## HIGH SCHOOL CORPORATIONS.

3. The trustees of every high school district shall be a <sup>Trustees to be</sup> corporation, by the name of "The—High School Board," <sup>a corporation</sup> (prefixing to the term "High School," or, "Collegiate Institute," 5 the name of the municipality within which such high school or collegiate institute is situated), and shall have and possess all the powers usually enjoyed by corporations, so far as the same are necessary for carrying out the purposes of this Act.

(2) The trustees of every high school shall hold office until 10 their successors are appointed and the new board is organized. R. S. O. 1897, c. 293, s. 3.

## UNION OF PUBLIC AND HIGH SCHOOL BOARDS.

4. The trustees of any public and high school exercising <sup>Boards of</sup> jurisdiction within the same municipality may unite as a board 15 of education for such municipality, on filing with the clerk of the municipality certified copies of resolutions to that effect, passed at meetings of each board called for the purpose of considering such union. The union so agreed upon shall take effect 20 on and after the date fixed by this Act for the first meeting of a board of education, and thereupon all property vested in the respective boards shall become vested in the board of education, and all debts, contracts and agreements for which the res-  
pective boards were liable, shall become obligations of the board of education.

25 (2) When a board of education is formed in any municipality in which more high schools than one have been established, all appointments by the municipality to the board of education for high school purposes shall cease from the date 30 of any meeting at which it was agreed to form such board of education until the number of high school representatives appointed by the municipal corporation has been reduced below the number of *six trustees, unless there is more than one* 35 *High School in the municipality, when the number of High School trustees shall be nine*, and thereafter appointments shall be made as provided by this Act, so as to secure a complete rotation of trustees every three years.

*The words in italics in above s-s. are new.*

(3) The union of the trustees of any public and high school so united shall form one corporation under the name 40 of "The Board of Education" for the city, town, incorporated village or township of—(as the case may be). Such board shall have the powers of public and high school trustees. A majority of the members shall form a quorum. R. S. O. 1897, c. 293, s. 4.

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## DISSOLUTION OF SCHOOL CORPORATIONS.

5. If at any meeting of a board of education called for 50 that purpose a majority of all the members thereof, vote in <sup>Dissolution of</sup> boards.

favour of the dissolution of the board such board shall be dissolved on and after the date fixed by this Act for holding the first meeting of a board of education in each year.

Members of board for high school to be high school trustees.

(2) In case any board of education is dissolved, the members of such board of education who were appointed on behalf of the high school shall be the board of trustees for such high school, to hold office for the full term of their appointment or until changed according to this Act. 5

Division of property at dissolution.

(3) In the case of such dissolution as aforesaid all school property held by the corporation for high school purposes shall vest in the high school board of trustees, subject to any trust for public school purposes attached thereto; and any other property held or possessed jointly by the corporation before dissolution shall be divided as may be agreed upon by the trustees of the high school and public school respectively at a meeting called for that purpose. If no division is made within six months, then the division shall be made forthwith by the council of the municipality within which the high school is situated. R.S.O. 1897, c. 293, s. 5. 15

Existing high school organizations continued

6. All high school districts and all appointments, agreements, contracts, assessments and rate-bills, heretofore duly made in relation to high schools existing at the passing of this Act, and all powers and duties connected therewith, shall continue in full force and effect, subject to the provisions of this Act. R.S.O. 1897, c. 293, s. 6. 20

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#### HIGH SCHOOL DISTRICTS.

By-laws setting apart portions of counties for high school purposes.

7 Where prior to the first day of January, 1896, the municipal council of any county or of any municipality did by by-law set apart and constitute the county or any portion thereof as a district for high school purposes, the by-law, if not set aside repealed, or quashed by any lawful authority in that behalf shall, to all intents and for all purposes, be considered and taken as valid, legal and binding, and the high school district thereby constituted or intended to be constituted, shall also for all purposes be deemed, and 35 taken as having been lawfully and validly constituted.

Lands not relieved from rates.

(2) The county council may, on the petition of any municipal corporation, detach the same or any portion thereof from any high school district formed by by-law of the county council, but any change made in the boundaries of a high school district shall not relieve the taxable property of the district or any portion thereof from rates imposed for the issue of debentures or from any other debts incurred prior to such change. R.S.O. 1897, c. 293, s. 7. 40

Union of portions of municipalities for high school purposes.

8. On the petition of two-thirds of the ratepayers of any municipality or of any portion thereof contiguous to a high school district, or to an incorporated village or town con- 45

training less than 3,000 inhabitants, in which a High School has been established, as provided by sub-section 2 of section 9 of this Act, the municipal council of such municipality shall, by by-law, unite the whole, or such portion thereof as is set forth in the said petition, to such high school district for high school purposes, and such union shall take effect on the first day of January next following the lapse of six months after the adoption of such by-law.

The words in italics in above section were added to the Revised Statute by sec. 1, c. 34, Acts of 1898, p. 79.

(2) On like petition and in like manner any municipality or any portion thereof united as aforesaid, may withdraw from such high school district, but any by-law for such withdrawal shall not come into operation until the first day of January next following the lapse of six months from the passing thereof, and shall not relieve the municipality or any portion thereof from any rates imposed for the issue of debentures or from any other debts incurred while such municipality or part thereof was attached to such high school district.

Withdrawal from union.

(3) The certificate of the clerk of the municipality with respect to the number of ratepayers in such municipality, or in that part thereof to which the petition heretofore mentioned is intended to refer, shall be final and conclusive.

Certificate of clerk to be evidence as to number of ratepayers.

(4) In all cases in which two municipal corporations are united by proclamation or by any Act of the Legislative Assembly, all the assets and liabilities of the school corporations of the minor municipality shall be assumed by the school corporation of the united municipality. R.S.O. 1897, c. 293, s. 8; 61 V. c. 34, s. 1.

Adjustment of assets and liabilities upon union of municipalities.

### NEW HIGH SCHOOLS.

9. On or before the first day of July in any year, the municipal council of any county may, subject to approval by the Lieutenant-Governor in Council, pass a by-law for the establishment of a new high school in any municipality, containing not fewer than one thousand inhabitants, according to the last municipal census, and the municipal council of any county may in like manner discontinue, at the end of the current calendar year, any high school already established.

Establishment and discontinuance of high schools.

(2) Where it is proposed to form a high school district to be composed of more municipalities than one, or of an incorporated village or town and part of one or more adjoining municipalities, the county council may pass a by-law for the establishment of a high school in any incorporated village, although containing less than one thousand inhabitants, within the proposed district, but such by-law shall not be operative until it is shown to the satisfaction of the Lieutenant-Governor in Council that the adjoining municipalities have passed by-laws as provided by section 8 of

Formation of districts in special cases.

this Act, for uniting with such incorporated village so as to constitute a district containing at least 3,000 inhabitants according to the last Dominion census.

*The words in italics in above s.-s. were added to Revised Statute by sec. 2, c. 34, Acts of 1898, p. 79.*

In cities.

(3) The municipal council of a city may establish as many high schools in such city as it may deem expedient, subject to the approval of the Lieutenant-Governor in Council. R.S.O. 1897, c. 293, s. 9; 61 V. c. 34, s. 2.

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HIGH SCHOOL COURSE OF STUDY.

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Course of instruction in high schools.

10. In every high school, instruction shall be given in the higher branches of a practical English and commercial education; the natural sciences, with special reference to agriculture; the elements of mathematics and physics; and the Latin, Greek, French and German languages, so far as to prepare 15 students for matriculation into the University of Toronto. When the Senate of the University prescribes optional courses for matriculation, the trustees of any high school may prescribe the option or options to be taken in such school

Collegiate Institutes.

(2) Any high school that complies with the regulations of 20 the Education Department with respect to collegiate institutes may be raised to the rank of a collegiate institute by order of the Lieutenant-Governor in Council. R.S.O. 1897, c. 293, s. 10.

Military instruction.

11. It shall be lawful for the trustees of any high school to establish classes in military instruction, and in the 25 event of their so doing and appointing a qualified drill instructor, they shall be entitled to receive the sum of \$50 annually out of any money voted by the Legislative Assembly for that purpose, provided the class consists of not less than twenty-five pupils over sixteen years of age and passes such examination and inspection as may be prescribed by the Education 30 Department. R. S. O. 1897, c. 293, s. 11.

Appointment of instructors in agriculture.

12. The council of every municipality may, subject to the regulations of the Education Department, employ one or 35 more persons holding the degree of Bachelor of the Science of Agriculture or a certificate of qualification from the Ontario Agricultural College, to give instruction in agriculture in the high schools of the municipality, and the council shall have power to raise such sums of money as may be necessary to pay the salaries of such instructors and all other expenses 40 connected therewith. Such course of instruction shall include a knowledge of the chemistry of the soil, plant life, drainage, the cultivation of fruit, the beautifying of the farm, and generally all matters which would tend to enhance the value of the products of the farm, the dairy and the garden. 45

(2) The trustees of any high school or any number of boards of such trustees may severally or jointly engage the

services of any person qualified as in the preceding section for the purpose of giving similar instruction to the pupils of their respective schools, provided always that such course of instruction shall not supersede the instruction of the teacher in charge of the school, as required by the regulations of the Education Department.

(3) As far as practicable, the course of lectures in agriculture by such temporary instructor, shall occupy the last school period of each afternoon and shall be open to all residents of the school section or municipality. 62 V. (2) c 36, s. 13. Course to be open to all residents.

*The above sec. is sec. 13 of c. 36 of the Acts of 1899, p. 157, and is reprinted so far as it relates to High Schools. It is reprinted in the Public Schools Bill so far as it relates to Public Schools, and is unrepealed so far as it relates to Separate Schools.*

#### TRUSTEES.

13. Any ratepayer 21 years of age residing in the county or municipality in which the high school is situated who is not a member of the municipal council of such municipality or county shall be qualified to serve as a high school trustee, or as a member of a board of education. Qualification of trustee.

(2) Every high school corporation shall consist of at least six trustees. In the case of high schools situated in any municipality within the jurisdiction of the county, three of such trustees shall be appointed by the county council, and additional trustees shall be appointed by the municipalities composing the high school district as follows, that is to say :— Number and appointment of high school trustees.

(a) Where a high school district is composed of one municipality the municipal council thereof shall appoint three additional trustees; where a high school district is composed of two municipalities, each municipality shall appoint two additional trustees; and where a district is composed of more than two municipalities, each municipality shall appoint one additional trustee. Any portion of a municipality assessed for \$50,000, included in a high school district, shall be considered a municipality for the purposes of this section. In every case one of the trustees appointed by the county council and one trustee in each municipality composing the high school district shall retire each year.

(3) Where a high school district is composed of a county, the county council shall appoint six trustees for such district, two of whom shall retire every year.

(4) In cities and in towns separated from the county, the municipal council thereof shall appoint six trustees for each of the high schools of such city or town; where the high schools in a city do not exceed three in number the municipal council shall appoint six trustees for each high school, and the trustees so appointed shall, with such additional trustees as are authorized

by this Act, form one corporation. The municipal council of every city and town shall, by by-law, provide for the annual retirement of so many of the trustees appointed by the council as shall secure a complete rotation every three years.

(5) Where the trustees of any high school situated in a city or in a town separated from the county, notify the county clerk that such high school is open to county pupils on the same terms as high schools in the municipalities not separated from the county, the county council may, from time to time, appoint three additional trustees of and for such high school so long as the school is open to county pupils on the terms aforesaid; *but such trustees in the case of the Board of Education shall not take any part in any of the proceedings affecting the Public School*, and such school shall for all the purposes of this Act be considered a county high school. 15

*The words in above s.-s. in italics are new.*

(6) The separate school board of the city, town, or incorporated village in which a high school is situated, may appoint one trustee of and for the high school board or board of education, who shall not be a member of the separate school board and who shall hold office for one year, provided always, in the case of a board of education, that such trustee shall not take part in any of the proceedings affecting the public school. 20

(7) Except in the case of a board of education, the public school trustees of every city, town, or incorporated village in which a high school is situated, may appoint annually one trustee of and for the high school board, who shall not be a member of the public school board, and who shall hold office for one year. R. S. O. 1897, c. 293, s. 12.

#### *Vacancies on Board.*

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Vacancies,  
how filled.

14. Vacancies arising from the annual retirement of trustees shall be filled at the first meeting thereof after being duly organized in each year by the municipal councils or by the boards of trustees empowered under this Act to make the appointments; and vacancies arising from death, resignation, or removal from the high school district or county, or otherwise, shall be filled forthwith by the municipal council or board of trustees having the right of appointment, and the person appointed to fill such vacancy shall hold office only for the unexpired term of the person whose place has become vacant. 40

(2) Where any town that has been separated from the county for municipal purposes is re-united to the county, the high school trustees appointed by the town council and in office at the time of such union shall continue in office till the expiration of the term for which they were appointed. Vacancies arising from any cause in the representation of the town shall not be filled till the number of trustees has been reduced below the number required by this Act. R.S.O. 1897, c. 293 s. 13. 45



*First Meeting.*

15. The first annual meeting of every board of trustees or board of education shall be held at the hour of seven o'clock in the afternoon of the first Wednesday of February or at such hour of the same day as may have been determined by resolution of the former board, and shall be organized by the election of a chairman, who shall be a member of the board, and a secretary and treasurer or secretary-treasurer. A majority of the board shall form a quorum;
- 10 (2) The secretary or secretary-treasurer for the previous year shall preside at the first meeting of the board until the chairman is elected, or if there be no secretary or secretary-treasurer then such member of the board shall preside as may be appointed for that purpose;
- 15 (3) In case of an equality of votes at the election of chairman, the trustee who is assessed for the largest sum on the last revised assessment roll shall have a second or casting vote, in addition to his vote as a member of the board.
- 20 (4) The chairman or presiding officer of the board may vote with the other members of the board on all questions, and any question on which there is an equality of votes shall be deemed to be negatived. R.S.O. 1897, c. 293, s. 14.

*Duties of Trustees.*

16. It shall be the duty of every board of trustees and they shall have power:—
1. To fix the times and places of the board meetings, the mode of calling and conducting them, and of keeping a full and correct account of the proceedings of such meetings;
2. To take charge of the high school for which they have been appointed trustees, to keep the school buildings in proper repair, to provide from time to time suitable furniture and equipment and to see that the grounds and all the property of the corporation are duly protected;
3. To settle the amount to be paid by parents and guardians for each pupil attending the high school, subject to this Act, to fix the times of payment, and, when necessary, to sue and recover such amounts;
4. To give the necessary orders upon the treasurer of the board for the payment of *gratuities or retiring allowances of teachers and the salaries of the teachers and other officers and servants of the high school, and for such other expenses for promoting the interests of the high school as may be authorized by the board; and to take such security from the treasurer of the board as they may deem expedient;*
- 45 *The words in above s.s. in italics were introduced into the Revised Statute by sec. 3, c. 54, Acts of 1900, p. 183.*

- Application to councils, how made. 5. To apply to the municipal council or councils liable under this Act on or before the 1st day of August, or at such other time as may be required by the municipal council for such sums of money as the board may require for the maintenance of the high school for the twelve months next following the date of such application, exclusive of all fees from pupils and other sources, and of appropriations from the Legislature and municipal council of the county; and for such additional sum as they may deem expedient for permanent improvements for the same period of time not exceeding five hundred dollars; 5
- Expulsion of pupils. 6. To expel, on the report of the principal, any pupil whose conduct may be deemed injurious to the welfare of the school; and to expel any pupil whose parents or guardians neglect or refuse to pay the tuition fees of such pupil after reasonable notice; 15
- Appointment and removal of teachers. 7. To appoint and remove such teachers, officers and servants as they may deem expedient, and to fix their salaries and prescribe their duties; and to see that the high school is conducted according to this Act, and the regulations of the Education Department; 20
- Accommodation for pupils. 8. To provide adequate accommodation according to the regulations of the Education Department for all resident pupils, and in the case of high schools receiving aid from the county for county pupils also, subject to section 34 of this Act; 25
- Certify fees received. 9. To certify to the treasurer of the county on or before the first of August in each year, the amount of fees collected from county pupils for the calendar year next preceding;
- Annual report minister. 10. To prepare and transmit to the Minister of Education the annual report before the 15th of January, in accordance with forms provided by the Education Department. R.S.O. 1897, c. 293, s. 15; 63 V. c. 54, s. 3. 30

## SITES FOR HIGH SCHOOLS.

- Selection of site restricted. 17. A high school site shall not be selected in a township within a hundred yards of the garden, orchard, pleasure ground, or dwelling house of the owner without his consent. R.S.O. 1897, c. 293, s. 16. 35
- Enlargement of school site. 18. It shall be competent for the trustees to enlarge any existing high school site, as required by the regulations of the Education Department, but no such enlargement shall be made in the direction of, or including an orchard, garden pleasure ground or dwelling house, without the consent of the owner of the land required, unless the school site cannot be otherwise enlarged. R.S.O. 1897, c. 293, s. 17. 40 45

19. If the owner of any land selected by the board of trustees of any high school for a site, or for high school purposes or for the enlargement of the high school premises, refuses to sell the same, or demands therefor a price deemed 5 unreasonable by the trustees of such high school, then such owner and trustees shall each forthwith appoint an arbitrator, and the arbitrators thus appointed, together with the senior county judge of the county in which the site in dispute is situated, or in the case of his inability to attend, any person 10 appointed by him on his behalf as third arbitrator, or any two of them, shall appraise the damages for such land. R.S.O. 1897, c. 293, s. 18.

20. If the owner of land selected for a school site, as provided by the preceding section neglects or refuses to appoint 15 an arbitrator, it shall be competent for the County Judge, with the arbitrator appointed by the trustees, to meet and determine the matter; and in such cases the County Judge shall have a second or casting vote, if he and such arbitrator do not agree. R.S.O. 1897, c. 293, s. 19.

20 21. The arbitrators aforesaid, or any two of them, shall have the power to settle all claims or rights of incumbrancers, lessees, tenants, or other persons, as well as those of the owner, in respect of the land required for the purpose of the high school site, upon notice in writing to every such claimant, 25 and after hearing and determining his claims or rights, and upon tender of the amount of such damage to the owner or other person entitled thereto, or to any part of such amount, by the trustees, the land shall be taken and used for the purpose aforesaid. R.S.O. 1897, c. 293, s. 20.

30 22. If only a majority of the arbitrators appointed to decide any case arising under the authority of this Act are present at any lawful meeting, in consequence of the neglect or the refusal of the other arbitrators to meet them, it shall be competent for those present to make and publish an award 35 upon the matter or matters submitted to them, or to adjourn the meeting for any period not exceeding ten days, giving the absent arbitrator notice of the adjournment. R.S.O. 1897, c. 293, s. 21.

40 23. Any award for a high school site made and published under this Act, if there be no conveyance, shall thereafter be deemed to be the title of the trustees to the land mentioned therein, and shall be a good title thereto against all persons interested in the property in any manner whatsoever, and shall be registered in the proper registry office on the affidavit 45 of the secretary of the board of trustees verifying the same. R.S.O. 1897, c. 293, s. 22.

24. The costs of arbitration shall be paid by the parties concerned in such proportion as may be determined by the arbitrators. R.S.O. 1897, c. 293, s. 23.

Who may convey.

**25.** All corporations and persons whatever, tenants in tail or for life, guardians, executors, administrators, and all other trustees whatsoever, not only for and on behalf of themselves, their heirs and successors, but also for and on behalf of those they represent, whether infants, issue unborn, lunatics, idiots, 5  
femes-coverts, or other persons, seised, possessed of or interested in any land, may contract for, sell or convey all or part thereof to high school trustees for a school site or an addition to the school site, or for a teacher's residence; and any contract, agreement, sale, conveyance and assurance so made shall be 10  
valid and effectual to all intents and purposes whatsoever; and the corporations or persons so conveying are hereby indemnified for what they respectively do by virtue of or in pursuance of this Act. R.S.O. 1897, c. 293, s. 24.

Notice in case owner is absent or unknown.

**26.** If the owner of land duly selected for the said pur- 15  
pose is absent from the county in which the land lies, or is unknown, the trustees may procure from a sworn surveyor a certificate that he is not interested in the matter; that he knows the land and that some certain sum therein named is, in his opinion, a fair compensation for the same; and on filing the 20  
said certificate with the Judge of the County Court of the county in which the land lies, accompanied by an affidavit or affidavits which satisfy the Judge that the owner is absent from the county and that, after diligent inquiry, he cannot be found, the Judge may order a notice to be inserted for such a 25  
time as he sees fit in some newspaper published in the county; and he may, in addition thereto, order a notice to be sent to any person by mail, or may direct service of the same to be effected in such other way as he sees fit. R.S.O. 1897, c. 293, 30  
s. 25.

Particulars of notice.

**27.** The notice shall contain a short description of the land and a declaration of the readiness of the trustees to pay the sum certified as aforesaid; shall give the name of a person to be appointed as the arbitrator of the trustees if their offer of that sum is not accepted; shall name the time within which 35  
the offer is to be accepted, or an arbitrator named by the owner; and shall contain any other particulars which the County Judge may direct. R.S.O. 1897, c. 293, s. 26.

Appointment of arbitrator by Judge.

**28.** If within such time as the Judge directs, the owner does not notify the trustees of the acceptance of the sum 40  
offered by them, or notify to them the name of a person whom he appoints as arbitrator, the Judge shall, on the application of the trustees, appoint a sworn surveyor to be sole arbitrator for determining the compensation to be paid for the property. R. S.O. 1897, c. 293, s. 27. 45

Responsibility of trustees as to compensation.

**29.** Where land is taken by the trustees without the consent of the owner, the compensation to be paid therefor shall stand in the stead of the land; and after the trustees have

taken possession of land, any claim to, or incumbrance upon the same, or any portion thereof, shall, as against the trustees, be converted into a claim to the compensation or to a proportion thereof, and the trustees shall be responsible accordingly whenever they have paid such compensation or any part thereof to a party not entitled to receive the same, saving always their recourse against such party. R.S.O. 1897, c. 293, s. 28.

**30.** If the trustees have reason to fear any claims or incumbrance, or if any party to whom the compensation or any part thereof is payable refuses to execute the proper conveyance, or if the party entitled to claim the same cannot be found or is unknown to the trustees, or if for any other reason the trustees deem it advisable, they may pay the arbitration and other expenses, and deposit the amount of the compensation with the High Court, or in such other manner as the County Judge may direct, with interest thereon for six months, and may deliver therewith an authentic copy of the conveyance, or of the agreement or award if there be no conveyance; and such agreement or award shall thereafter be deemed to be the title of the trustees to the land therein mentioned, and shall be a good title thereto against all persons interested in the property in any manner whatever, and shall be registered in the proper registry office on an affidavit of the secretary of the board of trustees verifying the same. R.S.O. 1897, c. 293, s. 29.

Deposit of compensation money by trustees.

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## PROPERTY VESTED IN TRUSTEES.

**31** All property heretofore granted, devised or acquired in any municipality, and vested in any person or persons, or corporation, for high school purposes, or which may hereafter be so granted, devised or acquired, shall be deemed and be taken as having vested absolutely in the board of high school trustees, and the board shall have full power to convey, sell, transfer, or lease such property, upon the adoption of a resolution by the board that such property is no longer required for high school purposes, and the proceeds of such sale, transfer or lease shall be applied for the use of such high school.

High school property vested in trustees.

(2) The trustees of any high school district or any board of education may, with the approval of a majority of the municipal council or councils composing the district, and of the Lieutenant-Governor in Council, sell, transfer or lease any site, territory or other property vested in them as a corporation, and after making provision for all debts and liabilities of the corporation, apply the residue of the proceeds of such sale, transfer or lease to any purpose that may be approved by the Lieutenant-Governor in Council, and on such sale, transfer or lease and disposition of assets as aforesaid, the Lieutenant-Governor in Council may, by proclamation in the *Ontario Gazette*, declare such corporation dissolved and determined. R. S. O. 1897, c. 293, s. 30.

High school trustees may sell site.

Receiving money for establishment of scholarship.

**32.** *The board of trustees of any high school or collegiate institute, upon receipt of any money bestowed by legacy, gift or otherwise, may agree with the person or persons from whom the same is received for the establishment of a permanent scholarship, provided such sum of money is sufficient when invested at a rate not exceeding four per centum per annum to yield an amount not less than the annual fee charged to pupils at such high school or collegiate institute.* 5

Scholarships to be given to ratepayers.

(2) *Such scholarship shall be awarded only to a ratepayer or to a child of a ratepayer of the municipality or municipalities contributing to the maintenance of such high school or collegiate institute.* 10

Investment of scholarship fund.

(3) *The board of trustees of any high school or collegiate institute shall have the right to invest any money received by them through legacy, gift or otherwise, and shall for such purpose have and exercise the powers conferred upon trustees by The Trustee Investment Act. 62 V. c. 54, s. 1.* 15

Rev. Stat c. 130.

*The above section was introduced into the Revised Statute by s. 1 c. 54, of the Acts of 1900, p. 183. It is reprinted without alteration.* 20

#### MUNICIPAL GRANTS FOR MAINTENANCE

Aid to high schools from counties.

**33.** *The municipal council of every county shall on or before the 15th day of December in each year pay for the maintenance of every high school in any town not separated from the county, or in any incorporated village or township within the county, without any abatement because of fees paid by county pupils, an amount equal to the legislative grant apportioned by the Minister of Education for each of such high schools. R.S.O. 1897, c. 293, s. 31.* 25

When further grant from county to be made.

**34.** *Where the cost of the maintenance of county pupils at any high school exceeds the legislative grant apportioned by the Minister of Education as aforesaid, and of the fees received from county pupils, the county shall, in lieu of the equivalent of the legislative grant, be liable for the maintenance of county pupils in the proportion which the average attendance of county pupils enrolled at such high school during the preceding three years bears to the average attendance of all the pupils enrolled at the same school for the same period of three years. In the case of new high schools the period herein mentioned for which the average attendance is to be reckoned, shall be the number of years for which such school was open, not exceeding three years.* 30 35 40

Detailed statements required.

(2) *In order to ascertain the liability of the county in all such cases the trustees shall submit to the County Judge as referee a detailed statement of the receipts and expenditure of the high school for maintenance for each of the preceding years under consideration, such statement to be* 45

- certified by the auditors authorized under this Act to audit high school accounts; and also a statement of the names, residence and attendance of resident, non-resident and county pupils for each year of a like period, such last mentioned statement to be certified by the chairman of the board. The chairman shall also certify as to the amount of the legislative grant and the fees from county pupils received for the time under consideration and the referee shall deduct the amount of such grant from the whole cost of maintenance of each high school, in determining the liability of the county for the maintenance of county pupils as required by the preceding sub-section, and shall give the county credit for the amount received as fees from county pupils as a payment on account of such maintenance.
- 15 (3) The trustees and the county council may by mutual agreement settle annually the amount to be paid by the county for the maintenance of county pupils, but in the event of their inability to agree with respect to such amount either party may refer the matter in dispute to the County Judge, who shall have power to settle the same. Provided that no settlement so made shall contravene the apportionment of county aid as authorized by section 36 of this Act, and any award made by the referee shall be binding on the parties thereto for a period of three years.
- 20 (4) The costs of reference to the County Judge shall be paid by the municipal council of the county and the trustees of the high school concerned, in the proportion which the county pupils bear to all the pupils enrolled in such high school.
- (5) Any municipality not included in a high school district of the county may provide for the payment of its share of the maintenance of county pupils by assessment upon the rate-payers of the municipality. The amount payable in such case shall be in the proportion which the equalized assessment of the municipality bears to the equalized assessment of all the municipalities of the county not included in any high school district. When any rate is levied as aforesaid then such municipality shall not be liable except as provided in section 36 for any other rates for high school purposes, and all money so collected shall be paid to the county treasurer on or before the 15th of December in each year.
- 30 Provision for maintenance of county pupils by municipality outside of the high school district.
- 35 No other rates to be levied except for Government grant.
- 40 (6) Where the trustees of any high school situated in a city or in a town separated from the county notify the county clerk that such high school is open to county pupils on the same terms as high schools in the municipalities not separated from the county, the county council shall in all such cases pay the cost of the maintenance of county pupils at such high schools; and such sum may be settled by mutual agreement, but in case of any dispute the amount shall be settled as hereinbefore provided.
- 45 Maintenance of county pupils in city or town high school.

Contiguous  
municipality  
in another  
county

(7) Where any municipality is not under the jurisdiction of the same county council as the high school district to which it is contiguous, the county council having jurisdiction over such municipality may pay to the trustees of the high school attended by the pupils from such municipality for the maintenance of the pupils of such municipality at the same rate as for county pupils R.S.O. 1897, c. 293, s. 32 5

(8) *In adjusting the liability of the municipal corporation of the county for the maintenance of county pupils in attendance at any High School situate in any city or town separated from the county, the county council (or in case of disagreement the county judge) shall deduct from the amount for which such county is liable for maintenance in such cases such amount as the municipality so separated from the county would have paid toward such grant had such municipality formed part of the county, due regard being had to the equalization of the assessment of such separated municipality.* 15

*The above s.-s. is new.*

Councils in  
high school  
districts to  
levy rates.

**35.** The municipal council or councils of every high school district shall levy and collect each year from their respective municipalities such sum or sums as the trustees of the high school may deem necessary for the maintenance of the high school in addition to that received from the County Council and other sources under this Act, and a further sum, not exceeding five hundred dollars, in any one year, if required by the trustees for permanent improvements, and said sum shall be levied by one uniform rate over the whole district. 20 25

(2) The municipal council in every town in a judicial or territorial district shall pay for the maintenance of pupils of such town who attend a high school in any other town in the same district at the rate per pupil (after deducting the Legislative grant) payable for the pupils of the town in which the high school is situated. Any dispute between the municipal council of the town and the board of trustees with respect to the amount to be so payable shall be settled as in the case of county pupils under this Act. R.S.O. 1897, c. 293, s. 33. 30 35

#### GRANTS FOR PERMANENT IMPROVEMENTS.

Grants  
for improv-  
ments exceed-  
ing \$500.

**36.** All sums of money required by the trustees of any high school for permanent improvements exceeding five hundred dollars shall be raised by assessment on the ratepayers of the municipality or municipalities composing the high school district, on the application of the board of trustees to the municipal council or councils of the district, made on or before the first of August in each year, and in the event of the municipal council, where the high school district is composed of one municipality, or in the event of a majority of the municipalities composing the high school district approving of such application, the municipality within which the high school is 40 45



situated shall issue debentures therefor in the manner provided for the issue of municipal debentures under *The Municipal Act*. R.S.O. 1897, c. 293, s. 34. Rev. Stat. c. 223.

37. In the case of a high school district composed of one municipality, if the council thereof refuses, or where the high school district is composed of two municipalities, if the council of one municipality refuses, or if a majority of the municipalities composing the high school district refuse to raise or borrow such sum of money aforesaid by debentures, the said council or councils shall, on the request of the trustees, submit such application to the vote of the municipality or municipalities concerned, in the manner provided by *The Municipal Act*, for the creating of debts, and in the event of the assent of a majority of the electors in the high school district qualified to vote upon a by-law for creating debts being thereby obtained, it shall be the duty of the council of the municipality in which the high school is situated to raise or borrow such sum. Re-fusal of municipal council to provide funds.  
Rev. Stat. c. 223.

(2) Where the high school district is composed of more municipalities than one, the municipal council of each municipality composing the district shall pay to the council of the municipality in which the high school is situated such proportion of the loan raised for high school purposes as the equalized assessment of each municipality or part thereof belonging to the high school district, bears to the equalized assessment of the whole district. But nothing herein contained shall prevent the municipality within which the high school is situated from assuming the full cost of permanent improvements, or from undertaking to pay any debentures that may be issued for such purpose notwithstanding that such municipality forms only a part of the high school district. Equalization of rates.

(3) The municipal council or councils of any high school district, or a majority of them, may, if deemed expedient, without submitting the same to a vote of the ratepayers of the municipality or municipalities comprising the district, as required by *The Municipal Act*, for the creating of debts, pass a by-law or by-laws for the purpose of raising or borrowing money, on the application of the high school board for permanent improvements. Submission to ratepayers.  
Rev. Stat. c. 223.

(4) Any debenture for any loan of money for school purposes may be for such term of years, not exceeding thirty, as the municipal council may think fit, or the municipal council may in its discretion make the principal of such debt repayable by annual or other instalments, in the manner provided by *The Municipal Act*. Term of debentures.  
Rev. Stat. c. 223.

(5) No municipal by-law hereafter passed for exempting any portion of the rateable property of a municipality from taxation in whole or in part shall be held or construed to exempt such property from school rates of any kind whatsoever. R.S.O. 1897 c. 293, s. 35. Exemption by by-law not to affect liability for school rates.

Assessments for maintenance or permanent improvements.

**38.** The council of any municipality or county may raise by assessment in addition to the sum required to be raised by this Act, such further sums of money as may be deemed expedient by the council for the maintenance or permanent improvement of any high school, provided in the case of counties that the additional sum so raised for high school purposes shall be apportioned among all the high schools of the county in proportion to the liability of the county to each high school. 5

Rates in united counties may be apportioned.

(2) The county council of two or more counties united for municipal purposes may apportion the amount to be levied for high schools so that each county forming such union shall be liable only for the maintenance of the high schools within such county. R.S.O. 1897 c. 293, s. 36.

Permanent improvements

**39.** All moneys which any municipal council of the high school district is authorized to collect under this Act for permanent improvements shall be paid to the treasurer of the high school board on or before the 25th day of December of the year in which application was made by the high school trustees for such moneys; all moneys which the municipal council is authorized to collect by assessment, or to raise by way of loan, or otherwise, for the maintenance of a high school shall be paid from time to time to the high school treasurer as the board may, by requisition, require. 20

For maintenance.

Security to be given by treasurer.

(2) The treasurer of every high school board shall give security to the board appointing him for the due and faithful performance of his duties, and shall submit his accounts to the auditors of the municipality in which the high school is situated, whose duty it shall be to audit such accounts in the same way as the municipal treasurer's accounts are audited. R.S.O. 1897 c. 293, s. 37. 25 30

#### HIGH SCHOOL FEES.

County pupils.

**40.** County pupils shall pay to the treasurer of the high school board such fees as the municipal council of the county may deem expedient, but such fees shall be uniform and shall not exceed one dollar per month. The scale of fees so fixed shall take effect from the beginning of the high school term next ensuing after adoption thereof by the county council, and shall continue in force for three years or for such term as may be agreed upon between the trustees and county council. 35 40

Non-resident pupils.

(2) Non-resident pupils shall pay to the treasurer of the high school board such fees as the board of trustees may deem expedient, but such fee shall not be greater than the cost of maintenance at such high school, nor less than the fees imposed by the council on county pupils. 45

Resident pupils.

(3) Resident pupils shall pay to the treasurer of the high school board such fees as the trustees of the high school may deem expedient.

(4) The council of any municipality not included in a high school district may provide by assessment for the payment of any fees imposed by the county council on county pupils or by the board of trustees on non-resident pupils who reside in such municipality. R.S.O. 1897 c. 293, s. 38

## ENTRANCE EXAMINATION.

10 **41.** A uniform entrance examination for the admission of pupils to high schools shall be held annually in every high school district according to such regulations as may be prescribed by the Education Department. Examinations may be held at such other places in every county as shall be recommended by the county council of which notice shall be given to the inspector by the county clerk.

Expenses of entrance examination.

15 (2) Every high school district shall be under one board of examiners. The trustees of the public and separate schools of the city, town or incorporated village in which a high school is situated shall on or before the 1st day of June each appoint an examiner, for the purpose of such examination. The inspector or inspectors of public schools of the inspectoral district within which the high school is situated and the principal of the high school shall be *ex officio* members of such board.

Board of examiners.

20 (3) Any person actually engaged in teaching, who is the holder of a first-class certificate, or any person actually engaged in teaching who is the holder of a second-class provincial certificate and who has had five years' experience as a teacher may be appointed examiner.

Qualifications of examiners.

30 (4) The board of trustees and the board of examiners may agree upon the sum to be paid annually for the entrance examination of pupils, but in the absence of any agreement, examiners shall be allowed the sum of one dollar per pupil for conducting such examination and this allowance shall include the travelling expenses of the examiners, presiding at the examination, reading and valuing the papers of candidates and reporting the results to the Education Department.

Examiners' fees.

40 (5) The board of education or the trustees of the high school district within which the examination is held shall on the requisition of the chairman of the board of examiners pay all the expenses of the examination at such high school, and such expenses shall be deemed to be part of the cost of maintenance of such high school. The travelling and other expenses of the presiding examiners in respect of examinations held at other places shall be paid by the county council.

Expenses of entrance examination.

45 (6) County pupils shall have the right to attend any high school aided by the council of the county in which their parents or guardians reside. Resident pupils shall have the right to attend the high school of the district in which their

Rights of pupils.

parents or guardians reside. Non-resident pupils may attend any high school at the discretion of the trustees of such school. R.S.O. 1897, c. 293, s. 39

## HIGH SCHOOL TEACHERS.

- Principals of high schools. **42.** No person shall be appointed principal of a high school unless he is a graduate in Arts of some University within the British Dominions, and furnishes satisfactory evidence to the Minister of Education of his knowledge of the science and art of teaching, and of the management and discipline of schools; but any person legally qualified and employed as principal in any high school before the twenty-fourth day of March, 1874, shall be deemed qualified notwithstanding this section. 5 10
- Assistant teachers. (2) No person shall be appointed assistant teacher in any high school who does not possess the qualifications required by the Education Department. 15
- Teachers. (3) Every teacher of a high school shall, in the organization, discipline, management and classification of the pupils be subject to the regulations of the Education Department.
- Superannuation. (4) The provisions of *The Public Schools Act* respecting superannuation shall apply to teachers of high schools. R.S.O. 1897, c. 293, s. 40. 20

## AGREEMENTS.

- Salary for teaching during part of the year. **43.** Any teacher of a high school who enters into an agreement with a board of trustees for one year and who serves under such agreement for three months or over, shall be entitled to be paid his salary in the proportion which the number of days during which he has taught bears to the whole number of teaching days in the year. 25
- Sickness. (2) Every teacher shall be entitled to his salary during sickness, certified by a physician, for a period not exceeding four weeks for the entire year; this period may be increased at the pleasure of the trustees. 30
- Neglect of duty. (3) Any teacher who enters into an agreement with a board of trustees as teacher, and who wilfully neglects or refuses to carry out such agreement shall, on the complaint of any board of trustees, be liable to the suspension of his certificate by the Education Department. 35
- Disputes between teachers and trustees. (4) All matters of difference between trustees and teachers of high schools in regard to salary or other remuneration, whatever may be the amount in dispute, shall be decided in the Division Court of the division in which the cause of action arose; provided always that the decision of the court in such cases may be appealed from, as under *The Public Schools Act*. R.S.O. 1897, c. 293, s. 41. 45

44. Where any teacher retires, having reached the age of 60 years or after serving for 20 years or longer, the board of trustees may grant him an annual allowance not exceeding the salary which he was receiving at the time of retirement, or may in lieu of such allowance make a grant to such teacher by way of gratuity of such sum as will represent the present value of an allowance aforesaid for his life, computed on the basis of interest at the rate of four per cent. per annum. *G.S.V. c. 54, s. 4.*
- 10 The above section was introduced into the Revised Statute by s. 4, c. 54, Acts of 1900, p. 183. It is printed without alteration.

Retiring allowance to teachers.

#### TERMS.

45. The academic year of every high school shall consist of three terms; the first shall begin on the first day of September and end on the twenty-second day of December; the second term shall begin on the third day of January and end on the Thursday before Easter Sunday; the third term shall begin on the second Monday after Easter Sunday, and end on the thirtieth day of June. Every Saturday, every public holiday and every day proclaimed a holiday by the council of the municipality in which the high school is situated shall be a holiday in such high school. *R.S.O. 1897, c. 293, s. 41.*

Duration of academic year.

#### PENALTIES AND PROHIBITIONS.

46. No high school trustee shall enter into any contract agreement, engagement or promise of any kind, either in his own name, or in the name of another, and either alone or jointly with another, in which he has any pecuniary interest, profit, or promise or expected benefit, with the corporation of which he is a member, or have any pecuniary claim upon or receive compensation from such corporation for any work, engagement, employment, or duty on behalf of such corporation, and every such contract, agreement, engagement or promise shall be null and void, and such trustee shall also *ipso facto* vacate his seat, and a majority of the other trustees shall declare the same vacant forthwith, and notify the clerk of the municipality, or board of trustees having authority to appoint such trustee accordingly. *R.S.O. 1897, c. 293, s. 43.*

Trustees contracting with board.

47. No person shall be disqualified from being elected a member of any high school board, or from sitting and voting in such board by reason only of his being proprietor of or otherwise interested in a newspaper or other periodical publication in which from time to time official advertisements are inserted by the council or board which appear in other newspapers or publications in the municipality or school district, or which is subscribed for by the board or by any of the departments or offices of the school district, although such advertisements or subscriptions are paid for at the usual rate out of the moneys of the school board, but this shall not apply

Newspaper proprietors inserting official advertisements not disqualified from sitting in school boards, etc.

to any person who has entered into an agreement or contract with a school board, to do at a specified rate all or the greater part of the printing required by such board during the term of such agreement or contract, but such member of school board shall not be entitled to vote where his own account is in question. 62 V. (2) c. 11, s. 22. 5

The above section was sec. 22 of c. 11, Acts of 1899, p. 49, and is inserted here so far as same relates to High Schools. It is repeated so far as it relates to Public Schools in the Public Schools Bill, and is unrepeated so far as relates to Separate 10 Schools.

When seat on board may be declared vacant.

48. If a trustee of any high school is convicted of any indictable offence, or becomes insane, or absents himself from the meetings of the board for three consecutive months, without being authorized by resolution entered upon its minutes, 15 or ceases to be a resident within the county or municipality for which he is a trustee, such trustee shall *ipso facto* vacate his seat, and the remaining trustees shall direct the secretary of the board to notify the clerk of the county or municipality or board of trustees having authority to appoint such trustee 20 accordingly. R.S.O. 1897, c. 293, s. 44.

Disturbing schools.

49. Any person who wilfully interrupts or disquiets any high school established and conducted under the authority of this Act, by rude or indecent behaviour, or by making a noise either within the place where such school is kept or held, or so 25 near thereto as to disturb the order or exercises of the high school shall, for each offence, on conviction thereof before a Police Magistrate or Justice of the Peace, on the affidavit of one credible witness, forfeit and pay for high school purposes to the trustees of the high school district within which the 30 offence was committed, such sum not exceeding \$20 together with the costs of conviction, as the said Police Magistrate or Justice may think fit. R.S.O. 1897, c. 293, s. 45.

#### AUTHORIZED BOOKS.

Text-books.

50.—(1) No teacher shall use or permit to be used as text- 35 books in a high school any books except such books as are authorized by the Education Department, and no portion of the legislative or municipal grant shall be paid to any high school in which unauthorized books are used.

Change of text-books.

(2) Any authorized text-book in actual use in any high 40 school may be changed by the teacher of such school for any other authorized text-book in the same subject on the written approval of the trustees, provided always such change is made at the beginning of a school term, and at least six months after such approval has been given.

Teachers substituting unauthorized text-books.

(3) In case any teacher or other person negligently or wilfully substitutes any unauthorized text-book in place of any 45 authorized text-book in actual use upon the same subject in

his school, he shall for each such offence, be liable on conviction before a Police Magistrate or Justice of the Peace, to a penalty not exceeding \$10, payable to the municipality for high school purposes, together with costs, as the Police Magistrate or Justice may think fit. R.S.O. 1897, c. 293, s. 46.

**51.** The following Acts and parts of Acts of the Province of Ontario are hereby repealed. Revised Statutes of Ontario 1897, c. 293 61 Victoria chapter 34, 62 Victoria (Second Session) chapter 11, section 22 and chapter 36, section 13 so far as the same relate to High Schools. 63 Victoria chapter 54.

*The above section is new.*

No. 68.

4th Session, 9th Legislature,  
1 Edward VII. 1901.

BILL.

An Act respecting High Schools and  
Collegiate Institutes.

First Reading. . . 1901.

Vp

TORONTO:  
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An Act respecting High Schools and Collegiate  
Institutes.

<p>SHORT TITLE, s. 1.          INTERPRETATION, s. 2.          HIGH SCHOOL CORPORATIONS, s. 3.          UNION OF PUBLIC AND HIGH SCHOOLS,          s. 4.          DISSOLUTION OF SCHOOL BOARDS, ss.          5, 6.          HIGH SCHOOL DISTRICTS, ss. 7, 8.  <del>NEW</del> NEW HIGH SCHOOLS, s. 9.          COURSE OF INSTRUCTION, ss. 10-12.          TRUSTEES:              Qualification and appointment,              s. 13.              Vacancies, s. 14.              First meeting, s. 15.              Duties, s. 16.</p>	<p>HIGH SCHOOL SITES, ss. 17-30.          PROPERTY VESTED IN TRUSTEES, s. 31,          32.          MUNICIPAL GRANTS:              For maintenance, ss. 33-35.              For permanent improvements,              ss. 36-39.          HIGH SCHOOL FEES, s. 40.          ENTRANCE EXAMINATION, s. 41.          HIGH SCHOOL TEACHERS, s. 42.              Agreements with, s. 43.              Retiring allowance, s. 44.          TERMS, s. 45.          PENALTIES AND PROHIBITIONS, ss.          46-49.          AUTHORIZED BOOKS, s. 50.</p>
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**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

GENERAL.

1. This Act may be cited as "*The High Schools Act*." 59 V. Short title. c. 71, s. 1.

2. Where the words following occur in this Act they shall be construed in the manner hereinafter mentioned, unless a contrary intention appears; Interpreta-  
tion.

1. "High Schools" shall include Collegiate Institutes.

"High  
Schools."

2. "Municipality" shall mean a city, town, incorporated village or township, but shall not mean a county.

"Municipality."

3. "County" shall include counties united for municipal purposes.

"County."

4. "District" shall mean the municipalities and parts of municipalities over which the high school board of trustees has jurisdiction as a corporation.

District.

“County pupils.” 5. “County pupils” shall mean pupils whose parents or guardians reside in the county in which the high school attended by such pupils is situated, but not within the limits of such high school district.

“Resident pupils.” 6. “Resident pupils” shall mean pupils whose parents or guardians reside in the district in which the high school attended by such pupils is situated; or whose parents or guardians are assessed for an amount equal to the average assessment of the ratepayers of the district.

“Non-resident pupils.” 7. “Non-resident pupils” shall mean pupils whose parents or guardians do not reside in the county, city or town separated from the county in which the high school attended by such pupils is situated.

“Permanent improvements.” 8. “Permanent improvements” shall mean such expenditure as may be necessary for the purchase or rental of a residence for the teacher, or for the purchase or rental of a school site and the erection or rental of a school house, or for the enlargement of both or either of them, or for permanently changing the system of heating and ventilation, the erection of fences, outhouses and gymnasium, or for the purchase of school furniture, maps and apparatus, library, and all other appliances required by the Regulations of the Education Department for High Schools. <sup>42</sup>R.S.O 1897, c. 293, s. 2, 1-8. <sup>63</sup>V.

“Maintenance.” 9. “Maintenance” shall mean such expenditure as may be necessary for ordinary repairs in the teacher’s residence or for the improvement of the grounds attached thereto, and for the salaries of teachers, officers and servants of the board and for conducting the entrance examination prescribed by this Act and for repairs to school buildings, outhouses, gymnasium, and fences and for the improvement of the school grounds, the repair of school furniture, insurance of the school property, and sundry expenses for ordinary school purposes and such annual additions to the library, apparatus, and other school appliances as may be required by the Regulations of the Education Department for High Schools, and shall also include gratuities and retiring allowances granted to teachers. <sup>42</sup>R.S.O. 1897, c. 293, s. 2, 9; <sup>63</sup>V. c 54, s. 2. <sup>63</sup>V.

“County judge”  
“judge.” 10. “County Judge” or “Judge” shall mean the senior Judge of the county in which the high school is situated, provided he is not a member of the High School Board and is able to act, but if he is a member of the Board or is unable to act, then the term shall mean the junior County Judge if not a member of the Board and if able to act, but otherwise the term shall mean the Judge of the adjoining county with the largest population according to the last Dominion census. R. S. O. 1897, c. 293, s. 2; <sup>63</sup>V., c. 54, s. 2.

## HIGH SCHOOL CORPORATIONS.

3. The trustees of every high school district shall be a <sup>Trustees to be</sup> corporation, by the name of "The—High School Board," <sup>a corporation</sup> (prefixing to the term "High School," or, "Collegiate Institute," the name of the municipality within which such high school or collegiate institute is situated), and shall have and possess all the powers usually enjoyed by corporations, so far as the same are necessary for carrying out the purposes of this Act.

(2) The trustees of every high school shall hold office until their successors are appointed and the new board is organized. R. S. O. 1897, c. 293, s. 3.

## UNION OF PUBLIC AND HIGH SCHOOL BOARDS.

4. (1) The trustees of any public and high school exercising <sup>Boards of</sup> jurisdiction within the same municipality may unite as a board <sup>education.</sup> of education for such municipality, on filing with the clerk of the municipality certified copies of resolutions to that effect, passed at meetings of each board called for the purpose of considering such union. The union so agreed upon shall take effect on and after the date fixed by this Act for the first meeting of a board of education, and thereupon all property vested in the respective boards shall become vested in the board of education, and all debts, contracts and agreements for which the respective boards were liable, shall become obligations of the board of education. <sup>R. S. O. 1897, c. 293, s. 4 (1).</sup>

(2) When a board of education is formed in any municipality in which more high schools than one have been established, all appointments by the municipality to the board of education for high school purposes shall cease from the date of any meeting at which it was agreed to form such board of education until the number of high school representatives appointed by the municipal corporation has been reduced below the number of six trustees, unless there is more than one High School in the municipality, when the number of High School trustees shall be nine, and thereafter appointments shall be made as provided by this Act, so as to secure a complete rotation of trustees every three years. <sup>R. S. O. 1897, c. 293, s. 4 (2).</sup>

(3) The union of the trustees of any public and high school so united shall form one corporation under the name of "The Board of Education" for the city, town, incorporated village or township of—(as the case may be). Such board shall have the powers of public and high school trustees. A majority of the members shall form a quorum. R. S. O. 1897, c. 293, s. 4 (3).

## DISSOLUTION OF SCHOOL CORPORATIONS.

5. If at any meeting of a board of education called for <sup>Dissolution of</sup> that purpose a majority of all the members thereof, vote in <sup>boards.</sup>

favour of the dissolution of the board such board shall be dissolved on and after the date fixed by this Act for holding the first meeting of a board of education in each year.

Members of board for high school to be high school trustees.

(2) In case any board of education is dissolved, the members of such board of education who were appointed on behalf of the high school shall be the board of trustees for such high school, to hold office for the full term of their appointment or until changed according to this Act.

Division of property at dissolution.

(3) In the case of such dissolution as aforesaid all school property held by the corporation for high school purposes shall vest in the high school board of trustees, subject to any trust for public school purposes attached thereto; and any other property held or possessed jointly by the corporation before dissolution shall be divided as may be agreed upon by the trustees of the high school and public school respectively at a meeting called for that purpose. If no division is made within six months, then the division shall be made forthwith by the council of the municipality within which the high school is situated. R.S.O. 1897, c. 293, s. 5.

Existing high school organizations continued

6. All high school districts and all appointments, agreements, contracts, assessments, and rate-bills, heretofore duly made in relation to high schools existing at the passing of this Act, and all powers and duties connected therewith, shall continue in full force and effect, subject to the provisions of this Act. R.S.O. 1897, c. 293, s. 6.

#### HIGH SCHOOL DISTRICTS.

By-laws setting apart portions of counties for high school purposes.

7. Where prior to the first day of January, 1896, the municipal council of any county or of any municipality did by by-law set apart and constitute the county or any portion thereof as a district for high school purposes, the by-law, if not set aside, repealed, or quashed by any lawful authority in that behalf shall, to all intents and for all purposes be considered and taken as valid, legal and binding, and the high school district thereby constituted or intended to be constituted, shall also for all purposes be deemed, and taken as having been lawfully and validly constituted.

Lands not relieved from rates.

(2) The county council may, on the petition of any municipal corporation, detach the same or any portion thereof from any high school district formed by by-law of the county council, but any change made in the boundaries of a high school district shall not relieve the taxable property of the district or any portion thereof from rates imposed for the issue of debentures or from any other debts incurred prior to such change. R.S.O. 1897, c. 293, s. 7.

Union of portions of municipalities for high school purposes.

8. On the petition of two-thirds of the ratepayers of any municipality or of any portion thereof contiguous to a high school district, or to an incorporated village or town con-

taining less than 3,000 inhabitants, in which a High School has been established, as provided by sub section 2 of section 9 of this Act, the municipal council of such municipality shall, by by-law, unite the whole, or such portion thereof as is set forth in the said petition, to such high school district for high school purposes, and such union shall take effect on the first day of January next following the lapse of six months after the adoption of such by-law. <sup>427</sup>R. S. O. 1897, c. 293, s. 8 (1); 61 V. c. 34, s. 1. <sup>353</sup>

(2) On like petition and in like manner any municipality or any portion thereof united as aforesaid, may withdraw from such high school district, but any by-law for such withdrawal shall not come into operation until the first day of January next following the lapse of six months from the passing thereof, and shall not relieve the municipality or any portion thereof from any rates imposed for the issue of debentures or from any other debts incurred while such municipality or part thereof was attached to such high school district. Withdrawal from union.

(3) The certificate of the clerk of the municipality with respect to the number of ratepayers in such municipality, or in that part thereof to which the petition heretofore mentioned is intended to refer, shall be final and conclusive. Certificate of clerk to be evidence as to number of ratepayers.

(4) In all cases in which two municipal corporations are united by proclamation or by any Act of the Legislative Assembly, all the assets and liabilities of the school corporations of the minor municipality shall be assumed by the school corporation of the united municipality. R.S.O. 1897, c. 293, s. 8 (2)-(4). Adjustment of assets and liabilities upon union of municipalities.

#### NEW HIGH SCHOOLS.

9. (1) On or before the first day of July in any year, the municipal council of any county may, subject to approval by the Lieutenant-Governor in Council, pass a by-law for the establishment of a new high school in any municipality, containing not fewer than one thousand inhabitants, according to the last municipal census, and the municipal council of any county may in like manner discontinue, at the end of the current calendar year, any high school already established. <sup>427</sup>R. S. O. 1897, c. 293, s. 9 (1). <sup>353</sup> Establishment and discontinuance of high schools.

(2) Where it is proposed to form a high school district to be composed of more municipalities than one, or of an incorporated village or town and part of one or more municipalities <sup>427</sup>within the county, <sup>353</sup>the county council may pass a by-law for the establishment of a high school in any incorporated village, although containing less than one thousand inhabitants, within the proposed district, but such by-law shall not be operative until it is shown to the satisfaction of the Lieutenant-Governor in Council that the municipalities *affected* have passed by-laws as provided by section 8 of Formation of districts in special cases.

this Act, for uniting with such incorporated village so as to constitute a district containing at least 3,000 inhabitants according to the last Dominion census. R. S. O. 1897, c. 293, s. 9 (2); 61 V., c. 34, s. 2.

In cities. (3) The municipal council of a city may establish as many high schools in such city as it may deem expedient, subject to the approval of the Lieutenant-Governor in Council. R.S.O. 1897, c. 293, s. 9 (3).

#### HIGH SCHOOL COURSE OF STUDY.

Course of instruction in high schools. **10.** In every high school, instruction shall be given in the higher branches of a practical English and commercial education; the natural sciences, with special reference to agriculture; the elements of mathematics and physics; and the Latin, Greek, French and German languages, so far as to prepare students for matriculation into the University of Toronto. When the Senate of the University prescribes optional courses for matriculation, the trustees of any high school may prescribe the option or options to be taken in such school

Collegiate Institutes. (2) Any high school that complies with the regulations of the Education Department with respect to collegiate institutes may be raised to the rank of a collegiate institute by order of the Lieutenant-Governor in Council. R.S.O. 1897, c. 293, s. 10.

Military instruction. **11.** It shall be lawful for the trustees of any high school to establish classes in military instruction, and in the event of their so doing and appointing a qualified drill instructor, they shall be entitled to receive the sum of \$50 annually out of any money voted by the Legislative Assembly for that purpose, provided the class consists of not less than twenty-five pupils over sixteen years of age and passes such examination and inspection as may be prescribed by the Education Department. R. S. O. 1897, c. 293, s. 11.

Appointment of instructors in agriculture. **12.** The council of every municipality may, subject to the regulations of the Education Department, employ one or more persons holding the degree of Bachelor of the Science of Agriculture or a certificate of qualification from the Ontario Agricultural College, to give instruction in agriculture in the high schools of the municipality, and the council shall have power to raise such sums of money as may be necessary to pay the salaries of such instructors and all other expenses connected therewith. Such course of instruction shall include a knowledge of the chemistry of the soil, plant life, drainage, the cultivation of fruit, the beautifying of the farm, and generally all matters which would tend to enhance the value of the products of the farm, the dairy and the garden.

(2) The trustees of any high school or any number of boards of such trustees may severally or jointly engage the

services of any person qualified as in the preceding section for the purpose of giving similar instruction to the pupils of their respective schools, provided always that such course of instruction shall not supersede the instruction of the teacher in charge of the school, as required by the regulations of the Education Department.

(3) As far as practicable, the course of lectures in agriculture by such temporary instructor, shall occupy the last school period of each afternoon and shall be open to all residents of the school section or municipality. 62 V. (2) c. 36, s. 13. Course to be open to all residents.

#### TRUSTEES.

**13.** Any ratepayer 21 years of age residing in the county or municipality in which the high school is situated who is not a member<sup>23</sup> or officer<sup>24</sup> of the municipal council of such municipality or county shall be qualified to serve as a high school trustee, or as a member of a board of education. Qualification of trustee.

(2) Every high school corporation shall consist of at least six trustees. In the case of high schools situated in any municipality within the jurisdiction of the county, three of such trustees shall be appointed by the county council, and additional trustees shall be appointed by the municipalities composing the high school district as follows, that is to say :— Number and appointment of high school trustees.

(a) Where a high school district is composed of one municipality the municipal council thereof shall appoint three additional trustees; where a high school district is composed of two municipalities, each municipality shall appoint two additional trustees; and where a district is composed of more than two municipalities, each municipality shall appoint one additional trustee. Any portion of a municipality assessed for \$50,000, included in a high school district, shall be considered a municipality for the purposes of this section. In every case one of the trustees appointed by the county council and one trustee in each municipality composing the high school district shall retire each year.

(3) Where a high school district is composed of a county, the county council shall appoint six trustees for such district, two of whom shall retire every year.

(4) In cities and in towns separated from the county, the municipal council thereof shall appoint six trustees for each of the high schools of such city or town; where the high schools in a city do not exceed three in number the municipal council shall appoint six trustees for each high school, and the trustees so appointed shall, with such additional trustees as are authorized by this Act, form one corporation. The municipal council of every city and town shall, by by-law, provide for the annual retirement of so many of the trustees appointed by the council as shall secure a complete rotation every three years.<sup>25</sup> R. S. O. 1897, c. 293, s. 12 (1) (4).<sup>26</sup>

(5) Where the trustees of any high school situated in a city or in a town separated from the county, notify the county clerk that such high school is open to county pupils on the same terms as high schools in the municipalities not separated from the county, the county council may, from time to time, appoint three additional trustees of and for such high school so long as the school is open to county pupils on the terms aforesaid; but such trustees in the case of the Board of Education shall not take any part in any of the proceedings affecting the Public School, and such school shall for all the purposes of this Act be considered a county high school. <sup>22</sup>R. S. O. 1897, c. 293, s. 12 (5) amended. <sup>23</sup>

(6) The separate school board of the city, town, or incorporated village in which a high school is situated, may appoint one trustee of and for the high school board or board of education, who shall not be a member of the separate school board and who shall hold office for one year, provided always, in the case of a board of education, that such trustee shall not take part in any of the proceedings affecting the public school.

(7) Except in the case of a board of education, the public school trustees of every city, town, or incorporated village in which a high school is situated, may appoint annually one trustee of and for the high school board, who shall not be a member of the public school board, and who shall hold office for one year. R. S. O. 1897, c. 293, s. 12 (6) (7).

#### *Vacancies on Board.*

Vacancies,  
how filled.

14. Vacancies arising from the annual retirement of trustees shall be filled at the first meeting thereof after being duly organized in each year by the municipal councils or by the boards of trustees empowered under this Act to make the appointments; and vacancies arising from death, resignation, or removal from the high school district or county, or otherwise, shall be filled forthwith by the municipal council or board of trustees having the right of appointment, and the person appointed to fill such vacancy shall hold office only for the unexpired term of the person whose place has become vacant.

(2) Where any town that has been separated from the county for municipal purposes is re-united to the county, the high school trustees appointed by the town council and in office at the time of such union shall continue in office till the expiration of the term for which they were appointed. Vacancies arising from any cause in the representation of the town shall not be filled till the number of trustees has been reduced below the number required by this Act. R.S.O. 1897, c. 293 s. 13.



*First Meeting.*

**15.** (1) The first annual meeting of every board of trustees shall be held at the hour of seven o'clock in the afternoon of the first Wednesday of February or at such hour of the same day as may have been determined by resolution of the former board. R.S.O. c. 293, s. 14 (1) amended. First meeting of board.

~~2~~(2) The first annual meeting of every board of trustees or board of education shall be held at the hour of seven o'clock (or at such hour of the same day as may have been determined by resolution of the former board.) in the afternoon of the first Wednesday of February, or at an earlier date fixed by the board in case all the appointments of trustees have been made. When first meeting to be held.

(3) Every first annual meeting of every board of trustees or board of education shall be organized by the election of a chairman who shall be a member of the board, and a secretary and treasurer, or secretary-treasurer. Organization.

(4) A majority of the board shall form a quorum. ~~2~~ (New.) Quorum.

(5) The secretary or secretary-treasurer for the previous year shall preside at the first meeting of the board until the chairman is elected, or if there be no secretary or secretary-treasurer then such member of the board shall preside as may be appointed for that purpose; Secretary to preside at first meeting until chairman elected.

(6) In case of an equality of votes at the election of chairman, the trustee who is assessed for the largest sum on the last revised assessment roll shall have a second or casting vote, in addition to his vote as a member of the board. Equality of votes on the election of chairman.

(7) The chairman or presiding officer of the board may vote with the other members of the board on all questions, and any question on which there is an equality of votes shall be deemed to be negatived. R.S.O. 1897, c. 293, s. 14 (2)-(4) Chairman to vote.

*Duties of Trustees.*

**16.** It shall be the duty of every board of trustees and they shall have power:— Duties of trustees.

1. To fix the times and places of the board meetings, the mode of calling and conducting them, and of keeping a full and correct account of the proceedings of such meetings; Fix meetings of board.

2. To take charge of the high school for which they have been appointed trustees, to keep the school buildings in proper repair, to provide from time to time suitable furniture and equipment and to see that the grounds and all the property of the corporation are duly protected; Charge of high school.

3. To settle the amount to be paid by parents and guardians for each pupil attending the high school, subject to this Act, to fix the times of payment, and, when necessary, to sue and recover such amounts; ~~2~~ R.S.O. 1897, c. 293, s. 15, (1-3). Collection of fees for tuition.

- Orders for salaries and expenses. 4. To give the necessary orders upon the treasurer of the board for the payment of *gratuities or retiring allowances of teachers* and the salaries of the teachers and other officers and servants of the high school, and for such other expenses for promoting the interests of the high school as may be authorized by the board; and to take such security from the treasurer of the board as they may deem expedient; R.S.O. 1897, c. 293, s. 15, 4; 63 V. c. 54, s. 3. <sup>33</sup>
- Application to councils, how made. 5. To apply to the municipal council or councils liable under this Act on or before the 1st day of August, or at such other time as may be required by the municipal council for such sums of money as the board may require for the maintenance of the high school for the twelve months next following the date of such application, exclusive of all fees from pupils and other sources, and of appropriations from the Legislature and municipal council of the county; and for such additional sum as they may deem expedient for permanent improvements for the same period of time not exceeding five hundred dollars;
- Expulsion of pupils. 6. To expel, on the report of the principal, any pupil whose conduct may be deemed injurious to the welfare of the school and to expel any pupil whose parents or guardians neglect or refuse to pay the tuition fees of such pupil after reasonable notice;
- Appointment and removal of teachers. 7. To appoint and remove such teachers, officers and servants as they may deem expedient, and to fix their salaries and prescribe their duties; and to see that the high school is conducted according to this Act, and the regulations of the Education Department;
- Accommodation for pupils. 8. To provide adequate accommodation according to the regulations of the Education Department for all resident pupils, and in the case of high schools receiving aid from the county for county pupils also, subject to section 34 of this Act;
- Certify fees received. 9. To certify to the treasurer of the county on or before the first of August in each year, the amount of fees collected from county pupils for the calendar year next preceding;
- Annual report minister. 10. To prepare and transmit to the Minister of Education the annual report before the 15th of January, in accordance with forms provided by the Education Department. R.S.O. 1897, c. 293, s. 15 (5)-(10).

## SITES FOR HIGH SCHOOLS.

- Selection of site restricted. 17. A high school site shall not be selected in a township within a hundred yards of the garden, orchard, pleasure ground, or dwelling house of the owner without his consent. R.S.O. 1897, c. 293, s. 16.

**18.** It shall be competent for the trustees to enlarge any existing high school site, as required by the regulations of the Education Department, but no such enlargement shall be made in the direction of, or including an orchard, garden pleasure ground or dwelling house, without the consent of the owner of the land required, unless the school site cannot be otherwise enlarged. R.S.O. 1897, c. 293, s. 17. Enlargement of school site.

**19.** If the owner of any land selected by the board of trustees of any high school for a site, or for high school purposes or for the enlargement of the high school premises, refuses to sell the same, or demands therefor a price deemed unreasonable by the trustees of such high school, then such owner and trustees shall each forthwith appoint an arbitrator, and the arbitrators thus appointed, together with the senior county judge of the county in which the site in dispute is situated, or in the case of his inability to attend, any person appointed by him on his behalf as third arbitrator, or any two of them, shall appraise the damages for such land. R.S.O. 1897, c. 293, s. 18. Arbitration in case of disagreement.

**20.** If the owner of land selected for a school site, as provided by the preceding section neglects or refuses to appoint an arbitrator, it shall be competent for the County Judge, with the arbitrator appointed by the trustees, to meet and determine the matter; and in such cases the County Judge shall have a second or casting vote, if he and such arbitrator do not agree. R.S.O. 1897, c. 293, s. 19. Proceedings when owner refuses to appoint an arbitrator.

**21.** The arbitrators afore-aid, or any two of them, shall have the power to settle all claims or rights of incumbancers, lessees, tenants, or other persons, as well as those of the owner, in respect of the land required for the purpose of the high school site, upon notice in writing to every such claimant, and after hearing and determining his claims or rights, and upon tender of the amount of such damage to the owner or other person entitled thereto, or to any part of such amount, by the trustees, the land shall be taken and used for the purpose aforesaid. R.S.O. 1897, c. 293, s. 20. Powers of arbitrators.

**22.** If only a majority of the arbitrators appointed to decide any case arising under the authority of this Act are present at any lawful meeting, in consequence of the neglect or the refusal of the other arbitrators to meet them, it shall be competent for those present to make and publish an award upon the matter or matters submitted to them, or to adjourn the meeting for any period not exceeding ten days, giving the absent arbitrator notice of the adjournment. R.S.O. 1897, c. 293, s. 21. Proceedings when one arbitrator is absent.

**23.** Any award for a high school site made and published under this Act, if there be no conveyance, shall thereafter be deemed to be the title of the trustees to the land mentioned therein, and shall be a good title thereto against all persons interested in the property in any manner whatsoever, and Award to constitute title.

shall be registered in the proper registry office on the affidavit of the secretary of the board of trustees verifying the same. R.S.O. 1897, c. 293, s. 22.

Costs.

**24.** The costs of arbitration shall be paid by the parties concerned in such proportion as may be determined by the arbitrators. R.S.O. 1897, c. 293, s. 23.

Who may convey.

**25.** All corporations and persons whatever, tenants in tail or for life, guardians, executors, administrators, and all other trustees whatsoever, not only for and on behalf of themselves, their heirs and successors, but also for and on behalf of those they represent, whether infants, issue unborn, lunatics, idiots, femes-coverts, or other persons, seised, possessed of or interested in any land, may contract for, sell or convey all or part thereof to high school trustees for a school site or an addition to the school site, or for a teacher's residence; and any contract, agreement, sale, conveyance and assurance so made shall be valid and effectual to all intents and purposes whatsoever; and the corporations or persons so conveying are hereby indemnified for what they respectively do by virtue of or in pursuance of this Act. R.S.O. 1897, c. 293, s. 24.

Notice in case owner is absent or unknown.

**26.** If the owner of land duly selected for the said purpose is absent from the county in which the land lies, or is unknown, the trustees may procure from a sworn surveyor a certificate that he is not interested in the matter; that he knows the land and that some certain sum therein named is, in his opinion, a fair compensation for the same; and on filing the said certificate with the Judge of the County Court of the county in which the land lies, accompanied by an affidavit or affidavits which satisfy the Judge that the owner is absent from the county and that, after diligent inquiry, he cannot be found, the Judge may order a notice to be inserted for such a time as he sees fit in some newspaper published in the county; and he may, in addition thereto, order a notice to be sent to any person by mail, or may direct service of the same to be effected in such other way as he sees fit. R.S.O. 1897, c. 293, s. 25.

Particulars of notice.

**27.** The notice shall contain a short description of the land and a declaration of the readiness of the trustees to pay the sum certified as aforesaid; shall give the name of a person to be appointed as the arbitrator of the trustees if their offer of that sum is not accepted; shall name the time within which the offer is to be accepted, or an arbitrator named by the owner; and shall contain any other particulars which the County Judge may direct. R.S.O. 1897, c. 293, s. 26.

Appointment of arbitrator by Judge.

**28.** If within such time as the Judge directs, the owner does not notify the trustees of the acceptance of the sum offered by them, or notify to them the name of a person whom he appoints as arbitrator, the Judge shall, on the application of the trustees, appoint a sworn surveyor to be sole arbitrator for

determining the compensation to be paid for the property. R. S.O. 1897, c. 293, s. 27.

**29.** Where land is taken by the trustees without the consent of the owner, the compensation to be paid therefor shall stand in the stead of the land; and after the trustees have taken possession of land, any claim to, or incumbrance upon the same, or any portion thereof, shall, as against the trustees, be converted into a claim to the compensation or to a proportion thereof, and the trustees shall be responsible accordingly whenever they have paid such compensation or any part thereof to a party not entitled to receive the same, saving always their recourse against such party. R.S.O. 1897, c. 293, s. 28.

Responsibility of trustees as to compensation.

**30.** If the trustees have reason to fear any claims or incumbrance, or if any party to whom the compensation or any part thereof is payable refuses to execute the proper conveyance, or if the party entitled to claim the same cannot be found or is unknown to the trustees, or if for any other reason the trustees deem it advisable, they may pay the arbitration and other expenses, and deposit the amount of the compensation with the High Court, or in such other manner as the County Judge may direct, with interest thereon for six months, and may deliver therewith an authentic copy of the conveyance, or of the agreement or award if there be no conveyance; and such agreement or award shall thereafter be deemed to be the title of the trustees to the land therein mentioned, and shall be a good title thereto against all persons interested in the property in any manner whatever, and shall be registered in the proper registry office on an affidavit of the secretary of the board of trustees verifying the same. R.S.O. 1897, c. 293, s. 29.

Deposit of compensation money by trustees.

#### PROPERTY VESTED IN TRUSTEES.

**31** All property heretofore granted, devised or acquired in any municipality, and vested in any person or persons, or corporation, for high school purposes, or which may hereafter be so granted, devised or acquired, shall be deemed and be taken as having vested absolutely in the board of high school trustees, and the board shall have full power to convey, sell, transfer or lease such property, upon the adoption of a resolution by the board that such property is no longer required for high school purposes, and the proceeds of such sale, transfer or lease shall be applied for the use of such high school.

High school property vested in trustees.

(2) The trustees of any high school district or any board of education may, with the approval of a majority of the municipal council or councils composing the district, and of the Lieutenant-Governor in Council, sell, transfer or lease any site, territory or other property vested in them as a corporation, and after making provision for all debts and liabilities of the corporation, apply the residue of the proceeds of such sale, transfer or lease

High school trustees may sell site.

to any purpose that may be approved by the Lieutenant-Governor in Council, and on such sale, transfer or lease and disposition of assets as aforesaid, the Lieutenant-Governor in Council may, by proclamation in the *Ontario Gazette*, declare such corporation dissolved and determined. R. S. O. 1897, c. 293, s. 30.

Receiving money for establishment of scholarship

**32.** The board of trustees of any high school or collegiate institute, upon receipt of any money bestowed by legacy, gift or otherwise may agree with the person or persons from whom the same is received for the establishment of a permanent scholarship, provided such sum of money is sufficient when invested at a rate not exceeding four per centum per annum to yield an amount not less than the annual fee charged to pupils at such high school or collegiate institute.

Scholarships to be given to ratepayers.

(2) Such scholarship shall be awarded only to a ratepayer or to a child of a ratepayer of the municipality or municipalities contributing to the maintenance of such high school or collegiate institute.

Investment of scholarship fund.

(3) The board of trustees of any high school or collegiate institute shall have the right to invest any money received by them through legacy, gift or otherwise, and shall for such purpose have and exercise the powers conferred upon trustees by *The Trustee Investment Act*. 63 V. c. 54, s. 1.

Rev. Stat c. 130.

#### MUNICIPAL GRANTS FOR MAINTENANCE.

Aid to high schools from counties.

**33.** The municipal council of every county shall on or before the 15th day of December in each year pay for the maintenance of every high school in any town not separated from the county, or in any incorporated village or township within the county, without any abatement because of fees paid by county pupils, an amount equal to the legislative grant apportioned by the Minister of Education for each of such high schools. R.S.O. 1897, c. 293, s. 31.

When further grant from county to be made.

**34.** Where the cost of the maintenance of county pupils at any high school exceeds the legislative grant apportioned by the Minister of Education as aforesaid, and of the fees received from county pupils, the county shall, in lieu of the equivalent of the legislative grant, be liable for the maintenance of county pupils in the proportion which the average attendance of county pupils enrolled at such high school during the preceding three years bears to the average attendance of all the pupils enrolled at the same school for the same period of three years. In the case of new high schools the period herein mentioned for which the average attendance is to be reckoned, shall be the number of years for which such school was open, not exceeding three years.

Detailed statements required.

(2) In order to ascertain the liability of the county in all such cases the trustees shall submit to the County Judge as referee a detailed statement of the receipts and expenditure of the high school for maintenance for each of the preceding years under consideration, such statement to be

certified by the auditors authorized under this Act to audit high school accounts; and also a statement of the names, residence and attendance of resident, non-resident and county pupils for each year of a like period, such last mentioned statement to be certified by the chairman of the board. The chairman shall also certify as to the amount of the legislative grant and the fees from county pupils received for the time under consideration and the referee shall deduct the amount of such grant from the whole cost of maintenance of each high school, in determining the liability of the county for the maintenance of county pupils as required by the preceding sub-section, and shall give the county credit for the amount received as fees from county pupils as a payment on account of such maintenance.

(3) The trustees and the county council may by mutual agreement settle annually the amount to be paid by the county for the maintenance of county pupils, but in the event of their inability to agree with respect to such amount either party may refer the matter in dispute to the County Judge, who shall have power to settle the same. Provided that no settlement so made shall contravene the apportionment of county aid as authorized by section 38 of this Act, and any award made by the referee shall be binding on the parties thereto for a period of three years.

Disputes as to grants to be referred to county Judge.

(4) The costs of reference to the County Judge shall be paid by the municipal council of the county and the trustees of the high school concerned, in the proportion which the county pupils bear to all the pupils enrolled in such high school.

Costs of reference.

(5) Any municipality not included in a high school district of the county may provide for the payment of its share of the maintenance of county pupils by assessment upon the rate-payers of the municipality. The amount payable in such case shall be in the proportion which the equalized assessment of the municipality bears to the equalized assessment of all the municipalities of the county not included in any high school district. When any rate is levied as aforesaid then such municipality shall not be liable except as provided in section 36 for any other rates for high school purposes, and all money so collected shall be paid to the county treasurer on or before the 15th of December in each year.

Provision for maintenance of county pupils by municipality outside of the high school district.

No other rates to be levied except for Government grant.

(6) Where the trustees of any high school situated in a city or in a town separated from the county notify the county clerk that such high school is open to county pupils on the same terms as high schools in the municipalities not separated from the county, the county council shall in all such cases pay the cost of the maintenance of county pupils at such high schools; and such sum may be settled by mutual agreement, but in case of any dispute the amount shall be settled as hereinbefore provided.

Maintenance of county pupils in city or town high school.

Contiguous municipality in another county

(7) Where any municipality is not under the jurisdiction of the same county council as the high school district to which it is contiguous, the county council having jurisdiction over such municipality may pay to the trustees of the high school attended by the pupils from such municipality for the maintenance of the pupils of such municipality at the same rate as for county pupils. R.S.O. 1897, c. 293, s. 32.

<sup>27</sup>(8) Where the trustees of any high school situated in a city or in a town separated from the county have notified the county clerk that such high school is open to county pupils on the same terms as resident pupils, the county council shall in all cases pay the cost of the maintenance of county pupils at such high school, and such sum may be settled by mutual agreement, but in case of any dispute, the amount shall be settled as hereinbefore provided.<sup>28</sup>

Councils in high school districts to levy rates.

**35.** The municipal council or councils of every high school district shall levy and collect each year from their respective municipalities such sum or sums as the trustees of the high school may deem necessary for the maintenance of the high school in addition to that received from the County Council and other sources under this Act, and a further sum, not exceeding five hundred dollars, in any one year, if required by the trustees for permanent improvements, and said sum shall be levied by one uniform rate over the whole district. <sup>29</sup>R.S.O., 1897, c. 293, s. 33 (1).<sup>30</sup>

#### GRANTS FOR PERMANENT IMPROVEMENTS.

Grants for improvements exceeding \$500.

**36.** All sums of money required by the trustees of any high school for permanent improvements exceeding five hundred dollars shall be raised by assessment on the ratepayers of the municipality or municipalities composing the high school district, on the application of the board of trustees to the municipal council or councils of the district, made on or before the first of August in each year, and in the event of the municipal council, where the high school district is composed of one municipality, or in the event of a majority of the municipalities composing the high school district approving of such application, the municipality within which the high school is situated shall issue debentures therefor in the manner provided for the issue of municipal debentures under *The Municipal Act*. R.S.O. 1897, c. 293, s. 34.

Rev. Stat. c. 223.

Refusal of municipal council to provide funds.

**37.** In the case of a high school district composed of one municipality, if the council thereof refuses, or where the high school district is composed of two municipalities, if the council of one municipality refuses, or if a majority of the municipalities composing the high school district refuse to raise or borrow such sum of money aforesaid by debentures, the said council or councils shall, on the request of the trustees, submit such application to the vote of the muni-



cipality or municipalities concerned, in the manner provided by *The Municipal Act*, for the creating of debts, and in the event of the assent of a majority of the electors in the high school district qualified to vote upon a by-law for creating debts being thereby obtained, it shall be the duty of the council of the municipality in which the high school is situated to raise or borrow such sum.

Rev. Stat.  
c. 223.

(2) Where the high school district is composed of more municipalities than one, the municipal council of each municipality composing the district shall pay to the council of the municipality in which the high school is situated such proportion of the loan raised for high school purposes as the equalized assessment of each municipality or part thereof belonging to the high school district, bears to the equalized assessment of the whole district. But nothing herein contained shall prevent the municipality within which the high school is situated from assuming the full cost of permanent improvements, or from undertaking to pay any debentures that may be issued for such purpose notwithstanding that such municipality forms only a part of the high school district.

Equalization  
of rates.

(3) The municipal council or councils of any high school district, or a majority of them, may, if deemed expedient, without submitting the same to a vote of the ratepayers of the municipality or municipalities comprising the district, as required by *The Municipal Act*, for the creating of debts, pass a by-law or by-laws for the purpose of raising or borrowing money, on the application of the high school board for permanent improvements.

Submission to  
ratepayers.

Rev. Stat.  
c. 223.

(4) Any debenture for any loan of money for school purposes may be for such term of years, not exceeding thirty, as the municipal council may think fit, or the municipal council may in its discretion make the principal of such debt repayable by annual or other instalments, in the manner provided by *The Municipal Act*.

Term of  
debentures.

Rev. Stat.  
c. 223.

(5) No municipal by-law hereafter passed for exempting any portion of the rateable property of a municipality from taxation in whole or in part shall be held or construed to exempt such property from school rates of any kind whatsoever. R.S.O. 1897 c. 293, s. 35.

Exemption by  
by-law not to  
affect liability  
for school  
rates.

**38.** The council of any municipality or county may raise by assessment in addition to the sum required to be raised by this Act, such further sums of money as may be deemed expedient by the council for the maintenance or permanent improvement of any high school, provided in the case of counties that the additional sum so raised for high school purposes shall be apportioned among all the high schools of the county in proportion to the liability of the county to each high school.

Assessments  
for mainten-  
ance or  
permanent  
improve-  
ments.

(2) The county council of two or more counties united for municipal purposes may apportion the amount to be levied for

Rates in  
united count-  
ies may be  
apportioned.

high schools so that each county forming such union shall be liable only for the maintenance of the high schools within such county. R.S.O. 1897 c. 293, s. 36.

Permanent  
improvements

For maintenance.

Security to be  
given by  
treasurer.

**39.** All moneys which any municipal council of the high school district is authorized to collect under this Act for permanent improvements shall be paid to the treasurer of the high school board on or before the 25th day of December of the year in which application was made by the high school trustees for such moneys; all moneys which the municipal council is authorized to collect by assessment, or to raise by way of loan, or otherwise, for the maintenance of a high school shall be paid from time to time to the high school treasurer as the board may, by requisition, require.

(2) The treasurer of every high school board shall give security to the board appointing him for the due and faithful performance of his duties, and shall submit his accounts to the auditors of the municipality in which the high school is situated, whose duty it shall be to audit such accounts in the same way as the municipal treasurer's accounts are audited. R.S.O. 1897 c. 293, s. 37.

#### HIGH SCHOOL FEES.

County  
pupils.

**40.** (1) County pupils shall pay to the treasurer of the high school board such fees as the municipal council of the county may deem expedient, but such fees shall be uniform and shall not exceed one dollar per month. The scale of fees so fixed shall take effect from the beginning of the high school term next ensuing after adoption thereof by the county council, and shall continue in force for three years or for such term as may be agreed upon between the trustees and county council. <sup>as</sup>R.S.O., 1897, c. 293 s. 3 (1).<sup>23</sup>

(2) <sup>as</sup>County pupils admitted to a high school situated in a city or in a town separated from the county, on the same terms as resident pupils, shall pay to the treasurer of the high school or collegiate institute board the same fees are paid by resident pupils.<sup>23</sup>

Non-resident  
pupils.

(3) Non-resident pupils shall pay to the treasurer of the high school board such fees as the board of trustees may deem expedient, but such fee shall not be greater than the cost of maintenance at such high school, nor less than the fees imposed by the council on county pupils.

Resident  
pupils.

(4) Resident pupils shall pay to the treasurer of the high school board such fees as the trustees of the high school may deem expedient.

Council may  
pay fees.

(5) The council of any municipality not included in a high school district may provide by assessment for the payment of any fees imposed by the county council on county pupils or by the board of trustees on non-resident pupils who reside in such municipality. R.S.O. 1897 c. 293, s. 38. (2)-(4).

## ENTRANCE EXAMINATION.

41. A uniform entrance examination for the admission of pupils to high schools shall be held annually in every high school district according to such regulations as may be prescribed by the Education Department. Examinations may be held at such other places in every county as shall be recommended by the county council of which notice shall be given to the inspector by the county clerk. Expenses of entrance examination.

(2) Every high school district shall be under one board of examiners. The trustees of the public and separate schools of the city, town or incorporated village in which a high school is situated shall on or before the 1st day of June each appoint an examiner, for the purpose of such examination. The inspector or inspectors of public schools of the inspectoral district within which the high school is situated and the principal of the high school shall be *ex officio* members of such board. Board of examiners.

(3) Any person actually engaged in teaching, who is the holder of a first-class certificate, or any person actually engaged in teaching who is the holder of a second-class provincial certificate and who has had five years' experience as a teacher may be appointed examiner. Qualifications of examiners.

(4) The board of trustees and the board of examiners may agree upon the sum to be paid annually for the entrance examination of pupils, but in the absence of any agreement, examiners shall be allowed the sum of one dollar per pupil for conducting such examination and this allowance shall include the travelling expenses of the examiners, presiding at the examination, reading and valuing the papers of candidates and reporting the results to the Education Department. Examiners' fees.

(5) The board of education or the trustees of the high school district within which the examination is held shall on the requisition of the chairman of the board of examiners pay all the expenses of the examination at such high school, and such expenses shall be deemed to be part of the cost of maintenance of such high school. The travelling and other expenses of the presiding examiners in respect of examinations held at other places shall be paid by the county council. Expenses of entrance examination.

(6) County pupils shall have the right to attend any high school aided by the council of the county in which their parents or guardians reside. Resident pupils shall have the right to attend the high school of the district in which their parents or guardians reside. Non-resident pupils may attend any high school at the discretion of the trustees of such school. R.S.O. 1897, c. 293, s. 39. Rights of pupils.

## HIGH SCHOOL TEACHERS.

- Principals of high schools. **42.** No person shall be appointed principal of a high school unless he is a graduate in Arts of some University within the British Dominions, and furnishes satisfactory evidence to the Minister of Education of his knowledge of the science and art of teaching, and of the management and discipline of schools; but any person legally qualified and employed as principal in any high school before the twenty-fourth day of March, 1874, shall be deemed qualified notwithstanding this section.
- Assistant teachers. (2) No person shall be appointed assistant teacher in any high school who does not possess the qualifications required by the Education Department.
- Teachers. (3) Every teacher of a high school shall, in the organization, discipline, management and classification of the pupils be subject to the regulations of the Education Department.
- Superannuation. (4) The provisions of *The Public Schools Act* respecting superannuation shall apply to teachers of high schools. R.S.O. 1897, c. 293, s. 40.

## AGREEMENTS.

- Salary for teaching during part of the year. **43.** Any teacher of a high school who enters into an agreement with a board of trustees for one year and who serves under such agreement for three months or over, shall be entitled to be paid his salary in the proportion which the number of days during which he has taught bears to the whole number of teaching days in the year.
- Sickness. (2) Every teacher shall be entitled to his salary during sickness, certified by a physician, for a period not exceeding four weeks for the entire year; this period may be increased at the pleasure of the trustees.
- Neglect of duty. (3) Any teacher who enters into an agreement with a board of trustees as teacher, and who wilfully neglects or refuses to carry out such agreement shall, on the complaint of any board of trustees, be liable to the suspension of his certificate by the Education Department.
- Disputes between teachers and trustees. (4) All matters of difference between trustees and teachers of high schools in regard to salary or other remuneration, whatever may be the amount in dispute, shall be decided in the Division Court of the division in which the cause of action arose; provided always that the decision of the court in such cases may be appealed from, as under *The Public Schools Act*. R.S.O. 1897, c. 293, s. 41.
- Retiring allowance to teachers. **44.** Where any teacher retires, having reached the age of 60 years or after serving for 20 years or longer, the board of trustees may grant him an annual allowance not exceeding the salary which he was receiving at the time of retirement, or may in lieu of such allowance make a grant to each teacher

by way of gratuity of such sum as will represent the present value of an allowance aforesaid for his life, computed on the basis of interest at the rate of four per cent. per annum. 63 V. c. 54, s. 4.

## TERMS.

45. The academic year of every high school shall consist of three terms; the first shall begin on the first day of September and end on the twenty-second day of December; the second term shall begin on the third day of January and end on the Thursday before Easter Sunday; the third term shall begin on the second Monday after Easter Sunday, and end on the thirtieth day of June. Every Saturday, every public holiday and every day proclaimed a holiday by the council of the municipality in which the high school is situated shall be a holiday in such high school. R.S.O. 1897, c. 293, s. 41.

Duration of  
academic  
year.

## PENALTIES AND PROHIBITIONS.

46. No high school trustee shall enter into any contract agreement, engagement or promise of any kind, either in his own name, or in the name of another, and either alone or jointly with another, in which he has any pecuniary interest, profit, or promised or expected benefit, with the corporation of which he is a member, or have any pecuniary claim upon or receive compensation from such corporation for any work, engagement, employment, or duty on behalf of such corporation, and every such contract, agreement, engagement or promise shall be null and void, and such trustee shall also *ipso facto* vacate his seat, and a majority of the other trustees shall declare the same vacant forthwith, and notify the clerk of the municipality, or board of trustees having authority to appoint such trustee accordingly. R.S.O. 1897, c. 293, s. 43.

Trustees  
contracting  
with board.

47. No person shall be disqualified from being elected a member of any high school board, or from sitting and voting in such board by reason only of his being proprietor of or otherwise interested in a newspaper or other periodical publication in which from time to time official advertisements are inserted by the council or board which appear in other newspapers or publications in the municipality or school district, or which is subscribed for by the board or by any of the departments or offices of the school district, although such advertisements or subscriptions are paid for at the usual rate out of the moneys of the school board, but this shall not apply to any person who has entered into an agreement or contract with a school board, to do at a specified rate all or the greater part of the printing required by such board during the term of such agreement or contract, but such member of school board shall not be entitled to vote where his own account is in question. 62 V. (2) c. 11, s. 22.

Newspaper  
proprietors  
inserting  
official adver-  
tisements  
not disquali-  
fied from  
sitting in  
school  
boards, etc.

When seat on board may be declared vacant.

**48.** If a trustee of any high school is convicted of any indictable offence, or becomes insane, or absents himself from the meetings of the board for three consecutive months, without being authorized by resolution entered upon its minutes, or ceases to be a resident within the county or municipality for which he is a trustee, such trustee shall *ipso facto* vacate his seat, and the remaining trustees shall direct the secretary of the board to notify the clerk of the county or municipality or board of trustees having authority to appoint such trustee accordingly. R.S.O. 1897, c. 293, s. 44.

Disturbing schools.

**49.** Any person who wilfully interrupts or disquiets any high school established and conducted under the authority of this Act, by rude or indecent behaviour, or by making a noise either within the place where such school is kept or held, or so near thereto as to disturb the order or exercises of the high school shall, for each offence, on conviction thereof before a Police Magistrate or Justice of the Peace, on the affidavit of one credible witness, forfeit and pay for high school purposes to the trustees of the high school district within which the offence was committed, such sum not exceeding \$20 together with the costs of conviction, as the said Police Magistrate or Justice may think fit. R.S.O. 1897, c. 293, s. 45.

#### AUTHORIZED BOOKS.

Text-books.

**50.**—(1) No teacher shall use or permit to be used as text-books in a high school any books except such books as are authorized by the Education Department, and no portion of the legislative or municipal grant shall be paid to any high school in which unauthorized books are used.

Change of text-books.

(2) Any authorized text-book in actual use in any high school may be changed by the teacher of such school for any other authorized text-book in the same subject on the written approval of the trustees, provided always such change is made at the beginning of a school term, and at least six months after such approval has been given.

Teachers substituting unauthorized text-books.

(3) In case any teacher or other person negligently or wilfully substitutes any unauthorized text-book in place of any authorized text-book in actual use upon the same subject in his school, he shall for each such offence, be liable on conviction before a Police Magistrate or Justice of the Peace, to a penalty not exceeding \$10, payable to the municipality for high school purposes, together with costs, as the Police Magistrate or Justice may think fit. R.S.O. 1897, c. 293, s. 46.

Acts Repealed.

**51.** The following Acts and parts of Acts of the Province of Ontario are hereby repealed. Revised Statutes of Ontario 1897, c. 293, 61 Victoria chapter 34, 62 Victoria (Second Session) chapter 11, section 22 and chapter 36, section 13 so far as the same relate to High Schools. 63 Victoria chapter 54.



No. 68.

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4th Session, 9th Legislature,  
1 Edward VII. 1901.

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BILL.

An Act respecting High Schools and  
Collegiate Institutes.

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First Reading, 20th Feb., 1901.  
Second Reading, 14th March, 1901.

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*(Reprinted as amended in Committee of  
the Whole.)*

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MR. HARCOURT.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.



An Act to provide for the appropriation of certain lands for the Volunteers who served in South Africa and the Volunteer Militia who served on the frontier in 1866.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :

1. The Lieutenant-Governor in Council may from time to time designate by proclamation within two years after the passing of this Act such lands as he may deem proper for the purposes hereinafter mentioned.

Proclamation setting apart lands.

2. The lands so set apart shall be reserved for location by any of the following classes of persons, viz :—

Classes of persons who may be located thereon.

- 10 (a) Persons enrolled in the Province of Ontario for active military service in the South African war in the years 1899 and 1900 and who did so serve during the said years or either of them or any part thereof.
- 15 (b) Persons who are the next of kin of any person so enrolled who may be since deceased.
- (c) Any person who was a resident of this Province and who went from this Province to South Africa to act as chaplain or nurse or Red Cross Commissioner or as newspaper correspondent during the said war or any period thereof.
- 20
- (d) Persons who were members of the Volunteer Militia of Canada in Ontario and were engaged in active service in the defence of the frontier of this Province in 1866 and 1870.
- 25
- (e) Persons, resident in Ontario, who were members of the company known as the Chicago Volunteers and who came to Ontario in 1866 to serve in the defence of the Province.
- 30 (f) Persons resident in Ontario who were engaged in the Imperial Service in defence of the frontier of this Province in 1866.

Proofs to be furnished by locatee.

3. Any person claiming the location of lands under this Act shall furnish evidence satisfactory to the Commissioner of Crown Lands that he is a member of one of the classes of persons designated in section 2 and all claims for the location of lands under this Act shall be filed with the Commissioner of Crown Lands before the first day of January, 1903. 5

Extent of location, certificate.

4. Upon furnishing the necessary evidence as aforesaid the applicant shall be entitled to be located for 160 acres of land in the territory so set apart by proclamation and the Commissioner of Crown Lands shall issue a certificate to the person so located, which certificate shall describe the lands located and shall declare that the same are located under and subject to the provisions of this Act. 10

Exemption from settlement duties and taxes.

5. Lands located under this Act shall be exempt from all settlement duties and provincial and municipal taxes (except for school purposes) for a period of ten years from the date of such location, provided that such lands are held by the original locatee, or his heirs, executors or administrators, but upon the transfer of such land to any other person such exemption shall cease and such lands shall become subject to any Act or regulations then in force respecting settlement duties and provincial and municipal taxes, in the same manner as if the said lands had been located and sold at the date of the said transfer under the provisions of *The Public Lands Act* and the regulations made thereunder. 15 20 25

Rev. Stat. c. 28.

When patent to issue.

6. Any person located under this Act or the heirs, executors or administrators of any such person shall be entitled, upon furnishing evidence of the performance of settlement duties prescribed by the regulations of the Crown Lands Department, to have a patent issued to him or them for lands so located. 30

Not more than one location to the square mile.

7. For the promotion of settlement of the lands set apart by proclamation as aforesaid, not more than one location under this Act shall be allowed to the square mile within the territories so set apart.

Reservation of timber, minerals, etc.  
Rev. Stat. c. 32.  
Rev. Stat. c. 36.

8. Every location or grant of land under this Act shall be subject to the reservation of timber, mines and minerals and to the provisions of *The Act respecting Timber or Public Lands* and of *The Mines Act*, and amendments thereto and to license and permit issued and regulations made under either of the said Acts or amendments thereto in the same manner and to the same extent as other public lands located and sold under *The Public Lands Act* and the regulations of the Crown Lands Department. 35 40

9. Lands located or patented under this Act shall not be subject to any writ or order of attachment or execution heretofore or hereafter issued in any action or other proceeding 45

against any person entitled to be located under this Act nor shall the proceeds of any sale or assignment of such lands or of the rights of any such person therein be subject to any writ or order of attachment or execution or garnishee summons  
5 issued in respect of any debt heretofore or hereafter contracted by any such person.

No. 69.

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4th Session, 9th Legislature,  
1 Edward VII, 1901.

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BILL.

An Act to provide for the appropriation of certain lands for the Volunteers who served in South Africa and the Volunteer Militia who served on the frontier in 1866.

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First Reading, 20th February, 1901.

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Mr. DAVIS.

TORONTO:

PRINTED BY L. K. CAMERON.

Printer to the King's Most Excellent Majesty.

An Act to provide for the appropriation of certain lands for the Volunteers who served in South Africa and the Volunteer Militia who served on the frontier in 1866.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :

1. The Lieutenant-Governor in Council may from time to time designate by proclamation within two years after the passing of this Act such lands as he may deem proper for the purposes hereinafter mentioned. Proclamation setting apart lands.

2. The lands so set apart shall be reserved for location by any of the following classes of persons, viz :— Classes of persons who may be located thereon.

- §§(a) Persons resident or domiciled in the Province of Ontario who, while so resident or domiciled, were enrolled or enlisted in the Province of Ontario or elsewhere for active military service in the South African war, in the years 1899 and 1900. §§
- (b) Persons who are the next of kin of any person so enrolled who may be since deceased.
- (c) Any person who was a resident of this Province and who went from this Province to South Africa to act as chaplain or nurse or Red Cross Commissioner or as newspaper correspondent during the said war or any period thereof.
- (d) Persons who were members of the Volunteer Militia of Canada in Ontario and were engaged in active service in the defence of the frontier of this Province in 1865, 1866 or 1870.
- §§(e) Persons who are the next of kin of persons who lost their lives during service in the defence of the frontier in 1866 or 1870, or who died within six months after the termination of such service as the result of wounds or exposure or illness contracted during such service. §§

- (f) Persons, resident in Ontario, who were members of the company known as the Chicago Volunteers and who came to Ontario in 1866 to serve in the defence of the Province.
- (g) Persons resident in Ontario who were engaged in the Imperial Service in defence of the frontier of this Province in 1866.

Proofs to be furnished by locatee.

3. Any person claiming the location of lands under this Act shall furnish evidence satisfactory to the Commissioner of Crown Lands that he is a member of one of the classes of persons designated in section 2 and all claims for the location of lands under this Act shall be filed with the Commissioner of Crown Lands before the first day of January, 1903.

Limit of grant to any one person.

4. Notwithstanding that an applicant comes within more than one of the classes of persons mentioned in section 2 of this Act he shall not be entitled to be located for more than 160 acres of land. Not more than one such certificate of location for 160 acres shall be issued to the next of kin of any deceased person, as mentioned in clauses *b* and *d* of the said section.

Extent of location, certificate.

5. Upon furnishing the necessary evidence as aforesaid the applicant shall be entitled to be located for 160 acres of land in the territory so set apart by proclamation and the Commissioner of Crown Lands shall issue a certificate to the person so located, which certificate shall describe the lands located and shall declare that the same are located under and subject to the provisions of this Act.

Exemption from settlement duties and taxes.

6. Lands located under this Act shall be exempt from all settlement duties and provincial and municipal taxes (except for school purposes) for a period of ten years from the date of such location, provided that such lands are held by the original locatee, or his heirs, executors or administrators, but upon the transfer of such land to any other person such exemption shall cease and such lands shall become subject to any Act or regulations then in force respecting settlement duties and provincial and municipal taxes, in the same manner as if the said lands had been located and sold at the date of the said transfer under the provisions of *The Public Lands Act* and the regulations made thereunder.

Rev. Stat. c. 28

When patent to issue.

7. Any person located under this Act or the heirs, executors or administrators of any such person shall be entitled, upon furnishing evidence of the performance of settlement duties prescribed by the regulations of the Crown Lands Department, to have a patent issued to him or them for lands so located.

Not more than one location to the square mile.

8. For the promotion of settlement of the lands set apart by proclamation as aforesaid, not more than one location under

this Act shall be allowed to the square mile within the territories so set apart.

§9. Every location or grant of land under this Act shall be subject to the reservation of pine timber, and, as to such pine timber, shall also be subject to the provisions of *The Act respecting Timber or Public Lands* and amendments thereto and to every license and permit issued and regulations made under the said Act, or amendments thereto, in the same manner and to the same extent as other public lands located and sold under *The Public Lands Act* and the regulations of the Crown Lands Department. <sup>Reservation of pine timber. Rev. Stat c. 82.</sup>

10. Lands located or patented under this Act shall not be subject to any writ or order of attachment or execution heretofore or hereafter issued in any action or other proceeding against any person entitled to be located under this Act nor shall the proceeds of any sale or assignment of such lands or of the rights of any such person therein be subject to any writ or order of attachment or execution or garnishee summons issued in respect of any debt heretofore or hereafter contracted by any such person. <sup>Lands and proceeds thereof not exigible.</sup>

§11. Section 15 of *The Public Lands Act* shall not apply to lands granted under this Act but save as aforesaid lands located or granted under this Act shall be subject to the provisions of *The Mines Act* and to every mining lease or mining license issued thereunder prior to the location of such lands under this Act. <sup>Rev. Stat. c. 28, s. 15, not to apply so as to reserve minerals.</sup>

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4th Session, 9th Legislature,  
1 Edward VII, 1901.

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BILL.

An Act to provide for the appropriation of certain lands for the Volunteers who served in South Africa and the Volunteer Militia who served on the frontier in 1866.

---

First Reading, 20th February, 1901.  
Second Reading, 14th March, 1901.

---

*(Reported as amended in Committee of  
the Whole House.)*

MR. DAVIS.

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TORONTO :

PRINTED BY L. K. CAMERON,  
Printer to the King's Most Excellent Majesty.



An Act respecting the Encouragement of the Sugar Beet Industry.

**H**IS MAJESTY, by and with the consent of the Legislative Assembly of the Province of Ontario enacts as follows:—

1. The sum of \$75,000 for each year, for a period of three years, shall be and is hereby set apart, to be paid out of the Consolidated Revenue of the Province, for the purpose of encouraging the growth of sugar beets, and the establishment of factories for the production of refined sugar therefrom. \$75,000 per annum for three years set apart.
2. In this Act the word "year" shall mean the twelve months from June 30th to July 1st of the succeeding year. "Year, meaning of.
- 10 3. In case any person or company shall establish and erect suitable buildings and instal the necessary plant for the refining of sugar from beet roots in any part of this province, such person or company shall be entitled to be paid out of the said sum mentioned in the preceding section, for sugar so refined  
15 of first-class marketable quality, at the rate of one-half cent per lb., for the product of the first year's operations of such factory, and at the rate of one-quarter cent per lb. for the product of each of the two following years, and no longer. Rate at which bounty to be paid.
- 20 4. In the event of more factories than one being established and the amount payable under this Act would exceed the sum of \$75,000, in any year, then the said sum shall be divided among the factories so established in such proportion as the amount to which each factory should be entitled bears to the whole sum set apart for such year. When fund not sufficient to pay all bounty earned.
- 25 5. Every person or company desiring to share in the grant made under this Act, shall file notice to that effect with the Treasurer of the Province on or before September 1st of the year in which claim is to be made, and the said person or company shall furnish to the Treasurer of the Province such proof  
30 of the correctness of the production and transactions of his or their factory as may be required. Notice to be filed by claimants of bounty.
6. Any moneys payable to any person or company claiming the same under this Act shall be payable only under and subject to the following conditions:— Conditions on which bounty to be paid.

- (a) That during the first year of the operations of such factory, the full sum of at least \$4 per ton shall have been paid for all beets delivered at the factory, irrespective of the quantity of saccharine matter contained in such beets. 5
- (b) That during the operations of the second and third years of such factory, the said person or company shall have paid for all beets delivered at the factory the sum of at least \$4 per ton, and such additional price at the same rate as shall correspond to the proportion of saccharine matter which such beets contain in excess of 12 per cent. 10

Deciding disputes as to grade of beets.

7. In the event of any dispute between any such person or company, and any contractor for the supply of sugar beets, as to the quantity of saccharine matter which said beets are said to contain, reference shall be made to the analyst of the Agricultural College, Guelph, or to such person as may be nominated for that purpose by the Lieutenant-Governor-in-Council whose report shall be final. 15



No. 70.

4th Session, 9th Parliament,  
1 Edward VII., 1901.

BILL.

An Act respecting the encouragement of  
Sugar Beet Industry.

First Reading,                   , 1901.

MR. DEYDEN.

TORONTO:

PRINTED BY E. K. CAMERON,

Printer to the King's Most Excellent Majesty.

An Act respecting the Encouragement of the Sugar Beet Industry.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:—

**1.** The sum of \$225,000 shall be and is hereby set apart, to be paid out of the Consolidated Revenue of the Province, for the purpose of encouraging the growth of sugar beets, and the establishment of factories within the Province of Ontario for the manufacture of refined sugar therefrom. \$225,000 set apart.

**2.** In this Act the word "year" shall mean the twelve months from June 30th to July 1st of the succeeding year. "Year," meaning of.

**3.** In case any person or company shall establish and erect in any part of this Province suitable buildings and instal the necessary plant for the manufacture of refined sugar from sugar beets grown within this Province, such person or company shall be entitled to be paid out of the said sum mentioned in section one, for sugar so produced of first-class marketable quality, at the rate of one-half cent per pound, for the product of the first and second year's operations of such factory, and at the rate of one-quarter cent per pound for the product of the third year, and no longer. Rate at which bounty to be paid.

**4.** Not more than \$75,000 shall be paid out in any one year and in case the total amounts payable in any one year in accordance with section 3 shall exceed \$75,000, then the amount of \$75,000 shall be divided among the applicants in proportion to the amounts of their claims under this Act. When fund not sufficient to pay all bounty earned

**5.** Every person or company desiring to share in the grant made under this Act, shall file notice to that effect with the Treasurer of the Province on or before September 1st of the year in which claim is to be made, and the said person or company shall furnish to the Treasurer of the Province such proof of the correctness of the production and transactions of his or their factory as may be required. Notice to be filed by claimants of bounty.

**6.** Any moneys payable to any person or company claiming the same under this Act shall be payable only under and subject to the following conditions:— Conditions on which bounty to be paid.

- (a) That during the first year of the operations of such factory, the full sum of at least \$4 per ton shall have been paid for all beets delivered at the factory, *under contract* irrespective of the quantity of saccharine matter contained in such beets.
- (b) That during the operations of the second and third years of such factory, the said person or company shall have paid for all beets *grown according to contract and delivered at the factory at the rate of 33½ cents or fraction thereof for every one per cent. or fraction of one per cent. of sugar which such beets contain.*
- (c) Any form of contract for the growing and delivery of beets made by any person or company claiming aid under this Act must be submitted to the Minister of Agriculture and approved by him.

Deciding disputes as to grade of beets.

7. In the event of any dispute between any such person or company, and any contractor for the supply of sugar beets, as to the quantity of saccharine matter which said beets are said to contain, reference shall be made to the analyst of the Agricultural College, Guelph, or to such person as may be nominated for that purpose by the Lieutenant-Governor-in-Council whose report shall be final.



No. 70.

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4th Session, 9th Parliament,  
1 Edward VII, 1901.

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BILL.

An Act respecting the encouragement of  
Sugar Beet Industry.

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First Reading, 21st February, 1901.  
Second Reading, 26th March, 1901.

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*(Reprinted as amended by Committee  
of the Whole)*

MR. DEYDEN.

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TORONTO:

PRINTED BY L. K. CAMERON,  
Printer to the King's Most Excellent Majesty.



An Act to amend The Supplementary Revenue Act, 1899.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :

1. Section 6 of *The Supplementary Revenue Act, 1899*, is 62 V. (2) c. 8,  
5 amended by striking out the last three lines of the said section s. 6 amended.  
and substituting therefor "in the manner provided by the  
*Assessment Act* and amendments thereto."

2. Section 7 of *The Supplementary Revenue Act, 1899*, as 62 Vict. (2)  
amended by *The Supplementary Revenue Act, 1900*, is hereby cap. 8, s. 7.  
10 amended by inserting in the twelfth line of the said section amended.  
after the word "premiums," the words "or assessments or any  
proceeds thereof."

3. Notwithstanding anything contained in either of the Interpretation  
said Acts, in the preceding section mentioned, the word "Com-  
15 "Company" in the thirteenth line of said section extends to pany."  
and includes any Mutual Fire Insurance Company whatso-  
ever standing registered under *The Ontario Insurance Act*.

No. 71.

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4th Session, 9th Legislature,  
1 Edward, VII., 1901.

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BILL.

An Act to amend The Supplementary  
Revenue Act, 1899.

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First Reading, 21st February, 1901.

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Mr. ROSS.

TORONTO :

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

## An Act to amend The Ontario Factories Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Subsection 2 of section 21 of *The Ontario Factories Act* is hereby amended by adding the following thereto: "Provided that the provisions of this subsection shall be deemed to be sufficiently complied with by the substitution for the rope therein mentioned with the approval of the Inspector, of the fire escape known as 'The Natural Drop Fire Escape' consisting of a cylindrical casing made of canvas or any other suitable material and provided at the top with a metal ring supported by chains from the window, the lower portion of the casing extending into proximity with the ground."
2. Subsection 3 of section 21 of *The Ontario Factories Act* is repealed and the following substituted therefor:
3. Every factory three or more stories in height in which persons are employed above the second storey, unless supplied with a sufficient number of tower stairways with iron doors, shall be provided with a sufficient number of fire escapes; such fire escapes shall consist of an iron stairway with a suitable railing and shall be connected with the interior of the building by iron doors or windows with iron shutters and shall have suitable landings at every storey above the first, including the attic if the attic is occupied as a work room; or such fire escapes may consist, if approved of by the Inspector, of such number as he shall direct of the fire escape known as "The Natural Drop Fire Escape," consisting of a cylindrical casing made of canvas or any other suitable material and provided at the top with a metal ring and supported by chains from the window, the lower portion of the casing extending into close proximity with the ground; and such fire escapes shall be kept in good repair and free from obstruction or incumbrance of any kind; but any of the requirements of this subsection may be dispensed with in any factory if the Inspector so directs.

Rev. Stat.  
c. 256, s. 21,  
sub-s. 2,  
amended.

Use of natural  
drop fire  
escape.

Rev. Stat.  
c. 256, s. 21,  
sub-s. 3,  
repealed.

Fire escape  
facilities in  
factories.

No 72.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

An Act to amend The Ontario Factories Act.

First Reading, \_\_\_\_\_, 1901.

MR. CARPENTER.

TORONTO :

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

## An Act to amend The Voters' Lists Act.

HIS MAJESTY by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:—

1. Section 14 of *The Ontario Voters' List Act* is amended  
5 by inserting therein the following subsection (4a):

Rev. Stat. c. 7,  
s. 14 amended.

(4a) Any one who will be of the age of twenty-one years  
within 60 days from the day fixed for hearing appeals to the  
county judge and who possesses the other necessary qualifica-  
10 tions to entitle him to be entered in the Voters' List shall have  
the right to apply to the judge to have his name entered and  
inserted in the Voters' List as entitled to vote at Municipal  
Elections and elections to the Legislative Assembly but nothing  
in this subsection contained shall be construed to confer upon  
15 any person the right to vote who is not of the full age of  
twenty-one years.

Appeals by  
persons who  
will be of age  
within 60 days  
of.

No. 73.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

An Act to amend The Voters' Lists Act.

First Reading, 25th Feb., 1901.

MR. HOYLE.

TORONTO:

PRINTED BY L. K. CAMERON,  
Printer to the King's Most Excellent Majesty.

An Act respecting Sanitary Regulations in  
unorganized Territories.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. The Lieutenant-Governor in Council may from time to time make regulations applicable only within those parts of the Province which are without municipal organization:

Regulations as to sanitary matters in unorganized territory.

(1) Respecting any particular industry and the conditions under which the same may be carried on for the purpose of preventing nuisances and the outbreak or spread of disease:

(2) For the cleansing, regulating and inspection of lumbering camps and of mining camps and of railway construction works and of other places where labour is employed;

(3) For providing for the inspection of houses and premises:

(4) For providing for the employment of duly qualified medical practitioners by employers of labour in lumbering camps and in mining camps and on railway construction works and other works where labour is employed, and for the erection of permanent or temporary hospitals for the accommodation of persons so employed:

2. Regulations made under this Act may be general in their application or may be made applicable specially to any particular locality or industry.

May be general or special.

3. Notwithstanding anything in *The Public Health Act* contained, the expenses of carrying out regulations made under this Act shall be paid to the person entitled thereto by the persons, firms or corporations whose duty it may be to carry out such regulations and the amount so to be paid shall be apportioned by the Minister to whose department the Provincial Board of Health is for the time being attached, among such persons, firms and corporations in such manner as he shall deem proper, and every amount so apportioned shall be

Apportionment.

deemed to be a debt due from any such person, firm or corporation, and may be recovered by the person entitled thereto in an action brought in any court of competent jurisdiction.

Act incorpora-  
ted with Rev.  
Stat. 248.

4. This Act shall be read with and as part of *The Public 5 Health Act*.





No. 75.

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4th Session, 9th Legislature,  
1 Edward VII., 1901.

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BILL.

An Act amending the Ontario Companies  
Act.

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First Reading, Feb. 27th, 1901.

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MR. STRATTON.

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TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

## An Act amending The Ontario Companies Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 40 of *The Ontario Companies Act*, is amended Rev. Stat. c. 191, ss. 40, 47, amended. by adding thereto the following words: "Unless by the special Act or the letters patent or by supplementary letters patent the company is authorized to hold its meetings without the Province."<sup>27</sup>

2. Section 82 of the said Act is amended by adding thereto the following, viz. : Rev. Stat. c. 191, s. 82, amended.

Provided always that if the special Act, or the Letters Patent, or Supplementary Letters Patent, authorize such purchase, it shall not be necessary to pass such by-law. Proviso.

<sup>28</sup>3. Section 1 of chapter 23 of the Acts passed in the sixty-third year of the reign of Her late Majesty Queen Victoria is repealed, and the following section substituted therefor: 63 V. c. 23, s. 1 repealed.

<sup>29</sup>Sub-section (a) of section 10 of *The Ontario Companies' Act* is amended by adding thereto the following proviso: Failure to make annual return. "And further provided that the name of a company which has not made for three consecutive years the annual summary and statement of its affairs prescribed by this Act, may be given in whole or in part to a new company, unless the defaulting company after three weeks' notice by the Provincial Secretary, addressed by registered letter to the company at its head office, and to the president and secretary of the company, as shown by its last return, proves to the satisfaction of the Lieutenant-Governor in Council that it is still a valid and subsisting corporation: Provided, however, that if, at the end of one month from the date of such notice, the Provincial Secretary shall have received from the company or its president or secretary as aforesaid, no response to such notice, the company may be deemed by him to be not a valid and subsisting corporation, and therefore no longer entitled to the sole use of its corporate name."<sup>30</sup>

4. The fees payable by Extra-Provincial Corporations coming within class III. of section 2 of chapter 24 of the Acts Fees payable by extra-provincial corporations.

passed in the 63rd year of the reign of Her late Majesty Queen Victoria, intituled *An Act respecting the licensing of Extra-Provincial Corporations*, for filing the annual statement or return required of such corporations shall be as follows, viz., \$5 if the capital stock of the company does not exceed \$100,000, and \$10 if it does exceed \$100,000.



No. 75.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

An Act amending The Ontario Companies  
Act.

First Reading, Feb. 25th, 1901.  
Second Reading, March 19th, 1901.

*(Reprinted as amended by Committee of  
the Whole House).*

MR. STRATTON.

TORONTO:

PRINTED BY L. K. GAMBERG,

Printer to the King's Most Excellent Majesty.

## An Act to amend The Municipal Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :

1. Sub-section 2 of section 168 of *The Municipal Act* is  
5 amended by striking out all the words in the said sub-section  
after the word "division" at the end of the third line, and  
inserting in lieu thereof the words "but he shall not give more  
than one vote to any one candidate." Rev. Stat. c.  
223, s. 168,  
sub. 2  
amended.

2. Schedule B to *The Municipal Act* is amended by striking  
10 out all the words therein from and including the words "where  
two county councils" in the sixth line down to and including  
the words "except as aforesaid" in the eleventh line in the  
said Schedule B. Rev. Stat. c.  
223, sched. B.  
amended.

No. 76.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

An Act to amend The Municipal Act.

First Reading, 26th February, 1901.

MR. JOYNT.

TORONTO:

PRINTED BY L. K. GAMMON,

Printer to the King's Most Excellent Majesty.



## An Act to amend The Municipal Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :—

1. Section 311 of *The Municipal Act* is amended by inserting after the word "of" in the 18th line thereof the words "and was rated on the last revised assessment roll of this township for—"

Rev. Stat.  
c. 223, s. 311,  
amended.

2. Section 128 of the said Act is amended by inserting after subsection 1, the following subsection :—

10 1. (a) It shall be the duty of the clerk or the returning officer or chairman at the close of the nominations to state to the meeting the qualifications required by law for the respective offices for which nominations have been held.

Rev. Stat.  
c. 223, s. 128,  
amended.

Information  
to be given at  
nomination as  
to qualifica-  
tion.

No. 77.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL,

An Act to amend The Municipal  
Act.

First Reading, 26th February, 1901.

Mr. MACDONALD.

TORONTO:

PRINTED BY L. K. CAMERON,  
Printer to the King's Most Excellent Majesty.

## An Act to amend The Municipal Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

*The Municipal Act* is amended by adding thereto the following as sections 751, 752, 753.

1.—(1) Every public road, street, village and highway within the limits of a Police Village shall be kept in repair by the trustees of such Police Village, and on default of the trustees so to keep in repair, the trustees besides being subject to any punishment provided by law shall be civilly responsible as trustees but not personally for all damages sustained by any person by reason of such default but the action must be brought within three months after the damages have been sustained.

15 (2) The trustees of a Police Village shall not be liable for accidents arising from persons falling owing to snow or ice upon the sidewalks unless in case of gross negligence by the trustees.

(3) No action shall be brought to enforce a claim for damages under this section unless notice in writing of the accident and the cause thereof has been served upon or mailed through the post office to each of the trustees of the Police Village within thirty days of the happening of the accident. Provided that in case of the death of the person injured want of notice shall be no bar to the maintenance of the action.

2. Where an action has been brought against the trustees of a Police Village under the preceding section and a judgment has been obtained either for costs or damages or both, the trustees shall require the council or councils of the township or townships in which the Police Village is situated to cause to be levied along with the other rates, upon the property liable to assessment in such village, such sum as may be necessary to defray the amount of such judgment and costs, and the costs necessarily incurred by the trustees in defending the action.

3. No action shall be brought against the corporation of a

township by any person for damages sustained within the limits of a Police Village by reason of the default of the trustees of such village in keeping in repair the public roads, streets, bridges and highways within the limits of such village. 5



No. 78.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

An Act to amend The Municipal Act.

First Reading 1901.

MR. SMITH.

TORONTO:  
PRINTED BY L. R. CAMERON,  
Printer to the King's Most Excellent Majesty.

## An Act respecting Summary Convictions,

His MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Sub-section 1 of section 2 of *The Ontario Summary Convictions Act*, being chapter 90 of the Revised Statutes of Ontario, is hereby amended by adding thereto the following: "and for greater certainty it is hereby declared that this sub-section is intended to include and to make applicable to any such conviction or order and to any warrant for enforcing the same the provisions of the said statutes of Canada relating to the matters and things which are dealt with or included in sections 889 to 896, both inclusive, of *The Criminal Code, 1892*."

2. Section 8 of the said Act is also hereby amended by inserting in the eighth line thereof after the word "thereof" the words "including the practice and procedure as to the statement of a case for the opinion of the Court."

Rev. Stat.  
c. 90, s. 2 (1),  
amended.

Rev. Stat.  
c. 90, s. 8,  
amended.

No. 79.

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4th Session, 9th Legislature,  
1 Edward VII., 1901.

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BILL.

An Act respecting Summary Convictions.

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First Reading, 26th February, 1901.

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The ATTORNEY-GENERAL.

TORONTO:

PRINTED BY L. K. CAMERON,  
Printer to the King's Most Excellent Majesty.



## An Act respecting Summary Convictions.

His MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :

1. Sub-section 1 of section 2 of *The Ontario Summary Convictions Act*, being chapter 90 of the Revised Statutes of Ontario, is hereby amended by adding thereto the following : "and for greater certainty it is hereby declared that this sub-section is intended to include and to make applicable to any such conviction or order and to any warrant for enforcing the same the provisions of the said statutes of Canada relating to the matters and things which are dealt with or included in sections 889 to 896, both inclusive, of *The Criminal Code, 1892*." Rev. Stat.  
c. 90, s. 2 (1),  
amended.

2. Nothing herein contained shall be deemed to imply that the said provisions are not now included in the said sub-section of section 2 and section 8 respectively, or to limit the application of the said sub-section and section. 23

3. Section 8 of the said Act is amended by inserting in the eighth line thereof after the word "thereof" the words "including the practice and procedure as to the statement of a case for the opinion of the Court." Rev. Stat.  
c. 90, s. 8,  
amended.

4. The Supreme Court of Judicature for Ontario may prescribe by rules of court that no motion to quash any conviction or other proceeding had or made under the authority of a statute of the Legislature of Ontario or other statute or law in force in the Province of Ontario and relating to matters within the legislative authority of the Legislature, and brought before the High Court of Justice for Ontario by *certiorari* shall be entertained unless the defendant is shown to have entered into a recognizance with one or more sufficient sureties before a justice or justices of the county or place within which such conviction or order has been made, or before a judge or other officer, as may be prescribed by such rule of court, or to have made a deposit to be prescribed in like manner, with a condition to prosecute such writ of *certiorari* at his own costs, and charges with effect without any wilful or affected delay, and, if ordered Security to be  
given by  
applicant to  
quash.

so to do, to pay to the person in whose favour the conviction order or other proceeding is affirmed his full costs and charges to be taxed according to the course of the court where such conviction order or proceeding is affirmed (see Cr. Code, s. 892).<sup>27</sup>

Rule at present in force.

~~4~~ **4.** Until any such rule shall be passed under the preceding section, the rule passed by the High Court of Justice for Ontario on the 17th day of November, 1886, shall be applicable to all motions to quash any conviction order or proceeding in the preceding section mentioned.<sup>28</sup>

5 Geo II, c. 19 not to be in force

~~5~~ **5.** The Act of the Parliament of the United Kingdom passed in the fifth year of the reign of His Majesty King George the Second and chaptered nineteen, in so far as it is in force in this Province by virtue of any statute of this Province, is hereby repealed.<sup>28</sup>



No. 79.

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4th Session, 9th Legislature  
1 Edward VII., 1901.

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BILL.

An Act respecting Summary Convictions.

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First Reading, 26th February, 1901.  
Second Reading, 14th March, 1901.

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*(Reprinted as amended in Committee of  
Houses.)*

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THE ATTORNEY-GENERAL.

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TORONTO:

PRINTED BY L. K. CAMERON,  
Printer to the King's Most Excellent Majesty.

An Act to amend The Assessment Act.

**H**IS MAJESTY, by and with the advice and consent of the  
Legislative Assembly of the Province of Ontario, enacts  
as follows:—

Subsection 1 of section 110 of *The Assessment Act* is  
5 amended by striking out the words "of the following year,"  
in the ninth line of the said subsection.

Rev. Stat.  
c. 224, s. 110,  
Sub-sec. 1,  
amended.

No. 80.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

An Act to amend The Assessment Act.

First Reading, 27th February, 1901.

MR. JESSOP.

TORONTO:

PRINTED BY L. K. GARRISON,

Printer to the King's Most Excellent Majesty.

## An Act to amend The Public Schools Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** Section 83 of *The Public Schools Act* is amended by adding thereto the following sub-sections: Rev. Stat.  
c. 292, s. 83,  
amended.

**8.** To visit in each term upon the request of the Board of Management or Trustees any Voluntary or Private School or incorporated Seminary of learning within the territory in which he has jurisdiction, and having an average attendance of at least twenty pupils, and in which the text books authorized by the department are used, and the teachers hold certificates of the department. Inspection of  
voluntary  
schools.

**9.** To examine into the condition of such school or incorporated seminary of learning, the order and discipline observed, the system of instruction pursued, the average attendance of pupils, the character and sanitary condition of the buildings and premises, and to give such advice to teachers, pupils and officers of the school as he may consider proper, and to report upon the results of such visit and inspection to the board of management, or trustees of such school, or seminary. Duties of  
Inspectors.

No. 81.

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4th Session, 9th Legislature,  
1 Edward VII., 1901.

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BILL

An Act to amend The Public Schools Act.

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First Reading, 27th February, 1901.

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Mr. HILL.

TORONTO:

PRINTED BY L. K. CAMERON,  
Printer to the King's Most Excellent Majesty.



An Act relating to the Employment of Aliens in Ontario.

**HIS MAJESTY**, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :—

1. This Act may be cited as "*The Labour Regulation Act*" Short title.  
5 1901."

2. In case of any Act passed during the present session, or hereafter passed, giving, granting or confirming to any person or persons, or body corporate, the right of erecting a bridge, tramway, turnpike, road, telegraph or telephone line, the  
10 construction or improvement of a harbor, canal, lock dam, slide, or other like work, the right of ferry, the right of carrying on any trade, business, occupation or calling, the giving, granting or confirming to such person or persons, or body corporate, any property, rights or privileges whatsoever, or  
15 for the amendment to a former Act of a like nature which has not already similar provisions, no citizen of nor any person (except a British subject) who has resided for a period of one month in any country having a labor law preventing the employment of Canadians in such country, shall be employed  
20 in connection with or in relation to any of the works, rights, trade, business, occupation, or property, given, granted, confirmed, authorized or affected by such Act.

Citizens of countries which exclude Canadian labor not to be employed in works authorized by statute

3. In the event of any person, as above described, being so employed, the person or persons, or any contractor or sub-  
25 contractor, by whom such person shall be employed, shall be liable upon summary conviction before any two justices of the peace, or a police magistrate, upon the oath or affirmation of one or more creditable witness or witnesses, to a penalty not exceeding twenty-five dollars, nor less than ten dollars for each  
30 such person so employed; and in case of default of immediate payment of the penalty imposed, the same may be recovered by distress and sale of the goods and chattels of the offender; and in default of sufficient distress the offender may be committed to the common goal of the county where the trial takes  
35 place, for a period not exceeding thirty-days; and any member, manager, director, officer or agent of a corporation who causes or procures any such person to be employed contrary to

Penalty for employment contrary to Act.

Cumulative penalties for continuing offence.

the provisions of this Act, or permits or connives at such employment, shall be liable, upon summary conviction, as aforesaid, to the like penalties as hereinbefore in this section provided, recoverable in the manner hereinbefore mentioned.

Evidence of person charged.

4. The offender shall be liable to separate and successive 5 penalties for each and every day during which any such person shall be employed.

5. The person charged with having resided in such foreign country shall be a competent and compellable witness in any proceedings under this Act.



No. 82.

4th Session, 9th Legislature,  
1 Edward VII, 1901.

BILL.

An Act relating to the Employment of  
Aliens in Ontario.

First Reading, 27th, Feb., 1901.

MR. WARDPELL.

TORONTO:

PRINTED BY L. K. CAMERON.

Printer to the King's Most Excellent Majesty.

## An Act to amend The Municipal Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:—

1. Subsection 2 of section 71a of *The Municipal Act* Rev. Stat. c. 223, s. 71a. enacted by section 2 of *The Municipal Amendment Act, 1898* subs. 2 amended. is hereby amended by adding after the words "provisions of" in the second line thereof the words "subsection 1."

2. The said section 71a is further amended

10 (3*c*) "At any time after two annual elections have been  
 "held under the provisions of subsection (3) of this section,  
 "the council of the town or city may, and upon the petition  
 "of twenty per cent. of the electors shall at the time of hold-  
 15 "ing an annual election submit a by-law providing for the  
 "election of aldermen by wards. If the said by-law shall  
 "receive the assent of a majority of the electors voting there-  
 "on, two aldermen shall thereafter and so long as the said by-  
 "law shall remain in force be annually elected by the electors  
 "of each ward. The proceedings in regard to the submission  
 20 "of any such by-law both as to its enactment and repeal  
 "shall be as provided in this Act in regard to by-laws requir-  
 "ing the assent of the electors."

Rev. Stat. c. 223, s. 71a amended.

No. 83.

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4th Session, 9th Legislature,  
1 Edward VII., 1901.

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BILL.

An Act to amend The Municipal Act.

---

First Reading, 1901

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MR. LITTLE.

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TORONTO:

PRINTED BY J. K. CAMERON,  
Printer to the King's Most Excellent Majesty.

## An Act to amend The General Road Companies' Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Sub-section 1 of Section 84 of *The General Road Companies' Act* is hereby amended by adding thereto the following:—"or if the said freeholders who signed the requisition dispute the correctness of the engineer's report or the adequacy of the repairs required to be done, they may within fifteen days after the service of the notice by the engineer make application in like manner to the Provincial instructor in road-making." Rev. Stat. c. 193, s. 84, sub-s. 1, amended.
2. Sub section 2, section 84 of the said Act is amended by inserting after the word "council" in the fourth line thereof the words "and the said freeholders." Rev. Stat. c. 193, s. 84, sub-s. 2, amended.
- 15 3. Sub-section 3, section 84 of the said Act is amended by striking out of the fifth line thereof all after the word "reported" and inserting therein the words "upon, is or is not out of repair." Rev. Stat. c. 193, s. 84, sub-s. 3, amended.
- 20 4. Sub-section 4, section 84 of the said Act is amended by striking out the word "so" in the second line thereof and by striking out the words "as certified by the engineer," in the same line. Rev. Stat. c. 193, s. 84, sub-s. 4, amended.
5. Section 84 of the said Act is amended by adding thereto as sub-section 7, the following:— Rev. Stat. c. 193, s. 84, sub-s. 7, amended.
- 21 (7) The engineer in addition to all other notices and reports required by this Act shall furnish the clerk of the municipality with a copy of his report and the said clerk shall forthwith notify the freeholders who signed the requisition as hereinbefore provided for.

No. 84.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

An Act to amend The General Road Com-  
pantes' Act.

First Reading, 28th February, 1901.

Mr. GILBORD.

TORONTO :  
Printed by L. K. CAMERON,  
Printer to the King's Most Excellent Majesty.



An Act to amend The Municipal Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :—

Sect. 677 of *The Municipal Act* is amended by striking out  
5 the word "or" in the second line, and inserting the words  
"or village" after the word "town," and by striking out the  
word "or" and inserting the words "or village" after the  
word "town," in the fifth line, and by striking out the word  
"or" in the eighth line and inserting after the word "town"  
the words "or village."

Rev., Stat.  
c. 223, s. 677,  
amended.

No. 85.

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4th Session, 9th Legislature,  
1 Edward VII., 1901.

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BILL.

An Act to amend The Municipal Act.

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First Reading 25th February, 1901.

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Mr. MCKAY.

TORONTO:

PRINTED BY L. K. CAMERON,  
Printer to the King's Most Excellent Majesty.

## An Act to amend the Street Railway Act.

HIS MAJESTY, by and with the advice and consent of <sup>Amend</sup> the Legislative Assembly of the Province of Ontario, <sup>R.S.O., c. 208</sup> <sup>s. 18.</sup> enacts as follows:

1. Section 18 of The Street Railway Act is amended by <sup>Penalties for</sup> adding thereto the following sub-section:— <sup>not providing</sup> <sup>guard wires,</sup> <sup>fenders, etc.</sup>

“ (6) The company shall pay to the corporation of the  
 “ municipality in which such road is operated the sum of \$100  
 “ for each day in which said railway is being operated within  
 “ such municipality without having such guard wires provided,  
 10 “ and a like sum of \$10 per car for each day in which any car  
 “ is operated within such municipality without having such  
 “ fender constructed thereon; and a like sum of \$10 per car  
 “ for each day in which any car is operated within such muni-  
 “ cipality without having two men engaged thereon as herein-  
 15 “ before provided; such sum or sums to be recovered from said  
 “ company in a civil action.”

2. Sub-section 1 of section 46 of the said act is amended by <sup>Amend s. 46,</sup> substituting the words and figures “ 18 and 19 ” for the words <sup>s.s. 1.</sup> and figures “ and 18 ” in the fourth line thereof.

No. 86.

4th Session, 9th Legislature.  
1 Edward VII., 1901.

BILL.

An Act to amend The Street Railway Act.

First Reading, 28th February, 1901.

MR. MARTER.

TORONTO:

PRINTED BY L. K. CAMERON,  
Printer to the King's Most Excellent Majesty.

## An Act to amend The Street Railway Act.

**H**IS MAJESTY, by and with the advice and consent of <sup>Amend</sup> the Legislative Assembly of the Province of Ontario, <sup>R.S.O., c. 208</sup> <sup>s. 18,</sup> enacts as follows:

**1.** Sub-section 4 of section 18 of *The Street Railway Act*, as <sup>Rev. Stat.</sup> enacted by section 1 of the said Act, passed in the 63rd year <sup>c. 208, s. 18,</sup> of the reign of Her Late Majesty Queen Victoria, chapter 31, <sup>sub-s. 4</sup> is repealed and the following substituted therefor: <sup>repealed.</sup>

(4) The company, when operating any portion of its line by <sup>Fenders.</sup> means of electricity, shall from time to time adopt and use in the front of each motor car a fender, which shall be of a design approved of by the Lieutenant-Governor-in-Council from time to time upon a report by the engineer of the Department of Public Works for Ontario as suitable for use by the company, having regard to the efficiency of such fender for life saving purposes, and to the location of the company's line, and the speed at which the company's cars may be run.

(a) The fender so approved of by the Lieutenant-Governor-in-Council shall be adopted and used upon the cars of the company within the time fixed by the Order-in-Council approving of the same, or by any Order-in-Council extending the said time. Provided, however, that when any street railway company has entered into an agreement with a municipal council providing for the use of a fender then this Act shall not apply so as to require any other or different fender to be supplied than is provided for in the said agreement. <sup>27</sup>

**2.** Section 18 of The Street Railway Act is amended by <sup>Penalties for</sup> adding thereto the following sub-section:— <sup>not providing</sup> <sup>guard wires,</sup> <sup>fenders, etc.</sup>

“(6) The company shall pay to the corporation of the “municipality in which such road is operated the sum of \$10 “for each day in which any motor car is operated within such “municipality without having such a fender thereon <sup>28</sup>except “in cases of accident or unavoidable necessity; <sup>29</sup>such sum or “sums to be recovered from such company in a civil action.”

Rev. Stat.  
c. 208, s. 18,  
subs. 3,  
amended.

§ 3. Sub-section 3 of section 18 of the said Act is amended by adding after the word "section" in the first line thereof the following words and figures:—" and section 19."

Rev. Stat.  
c. 208, s. 46,  
subs. 1.

4. Sub-section 1 of section 46 of the said act is amended by substituting the words and figures "18 and 19" for the words and figures "and 18" in the fourth line thereof.

Rev. Stat.  
c. 223, s. 569  
subs. 4,  
suspended.

§ 5. Sub-section 4 of section 569 of *The Municipal Act* and any by-law passed thereunder shall be suspended and shall not be operative as to vestibules in the rear ends of cars until after the close of the next session of the Legislature, but every company operating its cars without rear end vestibules shall permit its conductors to stand inside the cars as far as is consistent with the proper performance of their duties during the period mentioned in the said sub-section. Provided, however, that nothing in this section contained shall affect any action or other proceeding pending at the time of the passing thereof but the same shall be decided and determined in the same manner as if this section had not been passed.

Vestibules.

Actions pend-  
ing not  
affected.



No. 86.

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4th Session, 9th Legislature.  
1 Edward VII, 1901.

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BILL.

An Act to amend The Street Railway Act.

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First Reading, 28th February, 1901.  
Second Reading, 15th March, 1901.

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*(Reprinted as amended by Special  
Committee)*

MR. MARTER.

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TORONTO :

PRINTED BY L. K. CAMERON,  
Printer to the King's Most Excellent Majesty.



An Act to amend The High Schools Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Subsection 6 of section 32 of *The High Schools Act* is repealed, and the following substituted therefor:—

Rev. Stat. c. 293, s. 32, sub. 6, repealed.

(6) Where in a town separated from the county, a High School is situated, and such High School is open to county pupils on the same terms as the municipalities not separated from the county, the county council shall in all such cases make to such High School the same grant as if the city or town were not separated from the county.

County grant to High School in separated town.

2. Section 32 of *The High Schools Act* is hereby amended by adding thereto the following subsection:—

Rev. stat., c. 293, s. 32, amended.

(6a) The towns mentioned in the last preceding subsection shall pay to the county for High School purposes the same sum as such town would pay to the county for such purposes if such towns were not separated from the county, and the assessment of such towns were equalized, and the equalization of the assessment of such towns and the amount to be paid by it for High School purposes shall, unless mutually agreed upon, be fixed and settled by the county judge.

Payment by separated town to county.

No. 87.

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4th Session, 9th Legislature,  
1 Edward VII, 1901.

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BILL.

An Act to amend The High Schools Act.

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First Reading, 1st March, 1901.

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MR. RICHARDSON.

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TORONTO :

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

An Act to amend the Municipal Act and respecting  
County Councils.

HIS MAJESTY, by and with the advice and consent of the  
Legislative Assembly of the Province of Ontario enacts  
as follows:—

1. Section 66 67 and 68 of *The Municipal Act* are repealed. Rev. Stat.  
c 223, s.s. 66,  
67, 68  
repealed.
- 5 2. The council of every county shall consist of the Reeves  
of all villages and townships within the said county and the  
mayors of all towns not separated from the county for municipi  
pal purposes. county  
councils  
how  
constituted.
- 10 3. Whenever a vote shall be taken in the county council upon  
any matter, appointment, by-law, resolution, election of a  
warden or other question every mayor of a town and every  
reeve of a township or village represented in such county  
council shall be entitled to cast one vote for the first five  
15 hundred persons entitled to vote at municipal elections accord-  
ing to the last revised voters list of the municipality which he  
represents and to one additional vote for every five hundred  
additional names of persons so entitled to vote on such list. Voting in  
county  
councils.
- 20 4. The members of every county council shall hold their  
first meeting at two o'clock in the afternoon of the fourth  
Tuesday of January or some day thereafter. First meeting  
of county  
council.
5. This Act shall not come into force or take effect until the  
municipal elections to be holden on and for the year 1903, and  
upon, from and after the coming into effect of this Act all the  
provisions of *The Municipal Act* or any other act inconsistent  
15 with the forgoing sections of this Act shall be repealed. Commence-  
ment of act.

No. 88.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

An Act to amend The Municipal Act and  
respecting County Councils.

First Reading, 1st March, 1901.

MR. TUCKER.

TORONTO:

PRINTED BY G. K. CAMERON.

Printer to the King's Most Excellent Majesty

## An Act to amend The Municipal Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :—

1 Section 677 of *The Municipal Act* is amended by strik-  
 5 ing out the word "plank" in the third line of said section,  
 and by adding after the word "sidewalk" in the said third  
 line, the following words :— "of the following material,  
 namely :—plank, gravel, cinders, or a combination of any two  
 or more of said materials, with tar and sand."

Rev. stat.,  
 c. 223, s. 677  
 amend. J.

Laying side-  
 walks without  
 petitions or  
 notice.

No 89.

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4th Session, 9th Legislature,  
1 Edward VII, 1901.

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BILL.

An Act to amend The Municipal Act.

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First Reading, 1st March, 1901.

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Mr. HULL.

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TORONTO:  
PRINTED BY L. K. CAMERON,  
Printer to the King's Most Excellent Majesty.

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## An Act for the Improvement of Public Highways.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. The sum of \$1,000,000 is hereby set apart to be paid out \$1,000,000 appropriated for road improvements. of the Consolidated Revenue Fund of the Province to aid in the improvement of public highways subject to the terms and conditions hereinafter set forth.
2. The highways to be improved in any county may be designated and assumed by by-law of the county council, with What highways may be improved. the assent of the councils of the local municipalities through which such highways pass, or with the assent of a majority of the ratepayers of the county qualified to vote on money by-laws, provided always that the highways so designated shall, as far as practicable, be those which facilitate the direct transportation of the agricultural produce of the county or townships immediately interested to the local markets of the county.
3. In the event of the councils of a majority of the local municipalities disapproving of any by-law of the county council, passed under section 2 of this Act, then the county council shall in the manner provided by *The Municipal Act* with respect to by-laws for the creation of debts, submit such by-law to a vote of the ratepayers of the county, such vote to be taken and held on the same day and at the same places When vote of county ratepayers to be taken. as the polling for elections of the local municipalities of said county would be held according to law.
4. In case the by-law so submitted fails to receive the assent of a majority of the ratepayers of the whole county so voting, then the council of any local municipality in the county may within one year of the taking of the vote of the ratepayers of the county as aforesaid pass a by-law designating the roads within such local municipality to be improved, but no by-law for the improvement of roads in any municipality shall take effect until such by-law is approved by a majority of ratepayers of such municipalities in the manner provided by *The Municipal Act* with respect to by-laws for the creation of debts. Improvement by local councils.

Regulation  
and  
inspection.

5. Any highway, in order to come under the provisions of this Act as to aid, shall be constructed or repaired according to the regulations of the Public Works Department with respect to highways, and shall be subject to the inspection of an officer appointed by said Department.

5

Grant of one-  
third of cost of  
improvement.

6. On the completion of any work of road improvement under this Act the council of the municipality under which such work was carried on shall submit to the Public Works Department a statement setting forth the cost of such work, such statement to be certified by a competent engineer who shall further certify that the regulations of the Public Works Department have been complied with, and on the receipt of said statement by the Provincial Treasurer, certified and approved by the proper officer of the Public Works Department, the municipality shall be entitled to receive out of the monies hereby set apart for public highways an amount equal to one-third of the cost of the work but not to exceed the proportion of the appropriation to which such municipality is entitled.

Application  
of grant.

7. Any municipality may apply the whole or part of the monies to which it may be entitled under this Act towards paying any expenses that may be incurred for the purchase or toll roads within such municipality, or for freeing the same from tolls, or towards the purchase of approved road-making machinery or plant.

25

Statute labour  
on improved  
roads to be  
commuted.

8. The statute labour, for which all lands fronting on roads constructed or repaired under this Act may from year to year be liable, shall be commuted and shall be applied towards the improvement of the other highways of the municipality as may be determined by the township councils concerned.

30





No. 90.

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4th Session, 9th Legislature,  
1 Edward VII, 1901.

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BILL.

An Act for the Improvement of Public  
Highways.

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First Reading, 1st March, 1901.

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Mr. ROSS.

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TORONTO:

PRINTED BY L. K. CAMERON,  
Printer to the King's Most Excellent Majesty.

### An Act for the Improvement of Public Highways.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. The sum of \$1,000,000 is hereby set apart to be paid out of the Consolidated Revenue Fund of the Province to aid in the improvement of public highways subject to the terms and conditions hereinafter set forth. <sup>\$1,000,000 appropriated for road improvements.</sup>

§(1) The highways to be improved in any county may before the 1st day of January, 1903, be designated by by-law of the county council and a copy of such by-law shall be transmitted forthwith to the clerks of the townships of such county. <sup>§</sup>

§(2) The municipal councils of the townships shall within three months of the receipt of such notice by the clerk of the county council take into consideration the highways so designated in said by-law and shall report their acceptance or rejection of the same to the clerk of the county council. <sup>§</sup>

§(3) On receipt of such reports by the clerk of the county council from the clerks of the township councils in the county, if it should appear that one-third of the township councils are adverse to the highways designated by the county council as county highways, then the roads within such townships as reported adversely which are to form part of the county highway system of such township shall be determined by arbitration as provided in *The Municipal Act*. <sup>§</sup>

§(4) Where it appears that more than one-third of the township councils disapprove of the system of highways designated in the by-law submitted by the county council, the county council shall then submit to the ratepayers of the county qualified to vote on money by-laws the question "Are you in favor of a county road system?" If a majority of the votes cast is in favor of a county road system, the roads to be designated and assumed within any township, the council of which disapproved of the roads designated by the county council, shall be determined by arbitration as provided in *The Municipal Act*. <sup>§</sup>

§(5) Before the final passing of a by-law by a county council designating and assuming roads as provided in sub-sections (1), (2) and (3) of this section, the county council may submit the

same for the approval of a majority of the ratepayers of the county qualified to vote on money by-laws. <sup>33</sup>

<sup>33</sup>3. In case the by-law or question so submitted fails to receive the assent of a majority of the rate-payers of the whole county so voting or the county council neglects to take action as provided in section 1, then the council of any local municipality in the county may on or before first of January, 1904, pass a by-law designating the roads within such local municipality to be improved, but no by-law for the improvement of roads in any municipality shall take effect until such by-law is approved by a majority of the rate-payers of such municipality in the manner provided by *The Municipal Act* with respect to by-laws for the creation of debts. <sup>34</sup>

<sup>34</sup>(6) Any municipality may apply the whole or part of the moneys to which it may be entitled under this Act towards paying any expenses that may be incurred for the purchase of toll roads within such municipality, or for freeing the same from tolls. Such toll roads as are purchased shall be included in the roads to be designated and assumed or improved in accordance with the provisions of this Act. <sup>35</sup>

Regulation  
and  
inspection.

4. Any highway, in order to come under the provisions of this Act as to aid, shall be constructed or repaired according to the regulations of the Public Works Department with respect to highways.

<sup>35</sup>5. The road mileage to be designated and assumed in accordance with this Act shall, as nearly as practicable, be in proportion to the assessed area of each township and county, provided always that no township or county shall receive out of the said sum of \$1,000,000 more than the sum to which it is entitled under this section. <sup>36</sup>

Grant of one-  
third of cost of  
improvement.

6. On the completion of any work of road improvement under this Act the council of the municipality under which such work was carried on shall submit to the Public Works Department a statement setting forth the cost of such work, such statement to be certified by a competent engineer who shall further certify that the regulations of the Public Works Department have been complied with, and on the receipt of said statement by the Provincial Treasurer, certified and approved by the proper officer of the Public Works Department, the municipality shall be entitled to receive out of the monies hereby set apart for public highways an amount equal to one-third of the cost of the work but not to exceed the proportion of the appropriation to which such municipality is entitled.

<sup>36</sup>(2) The municipal council of any township or county taking advantage of this Act may raise by debentures, payable in twenty years, as provided by *The Municipal Act*, such sums

of money as may be necessary to meet any expenditure on highways under this Act.<sup>63</sup>

**7.** The statute labour, for which all lands fronting on roads constructed or repaired under this Act may from year to year be liable, shall be commuted and shall be applied towards the improvement of the other highways of the municipality as may be determined by the township councils concerned. Statute labour on improved roads to be commuted.

**8.** After roads are purchased, constructed or repaired in accordance with the provisions of this Act and are maintained up to the standard determined as herein provided they shall be considered as lawfully in repair and municipal corporations interested shall not be liable for damages caused by accidents on roads so maintained.

**9.** In the case of any townships receiving grants from the consolidated revenues of the Province for colonization roads, the amount of such colonization grants shall be deducted from any sum of money to which such township is entitled under this Act.

**10.** Where any township has been in receipt of grants out of the consolidated funds, for the five years previous to the date of this Act, the amount out of such township shall be deducted from the area of the county in which such township is situated, in determining the sum to which the county is entitled under this Act.

No. 90.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

An Act for the Improvement of Public  
Highways.

First Reading, 1st March, 1901.

*(Amended for the consideration of Com-  
mittee of the Whole House.)*

Mr. ROSS.

TORONTO:

PRINTED BY J. K. GARROD,

Printer to the King's Most Excellent Majesty.

An Act to further amend The Ontario Voters' Lists Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :—

1. Section 10 of "*The Ontario Voters' Lists Act*" is amended  
 5 by adding at the end of said section the following words:—  
 "and notifying said electors that any person desiring to have  
 any omission or error corrected must within thirty days after  
 he the said clerk has posted up the list in his office, give to  
 him the clerk or leave for him at his residence or place of  
 10 business notice in writing of the complaint and intention to  
 apply to the Judge in respect thereof. The date in said cer-  
 tificate shall if practicable be the date of such posting up.
2. The said section 10 is further amended by adding  
 thereto the following sub-section:—
- 15 (2) Upon the outside or cover of each of the copies so sent  
 shall be printed or written conspicuously the date of the post-  
 ing up of the said list and the last day for making complaints,  
 thus:
- This List was posted up in the Clerk's office  
 for giving notice of complaints of omissions or errors is
- 19 . . . The last day  
 19 . . .
- 20 3. Form 2 in the Schedule to the said Act is amended by  
 adding after the word "law" in the 11th line thereof the fol-  
 lowing words:—
- "Any person desiring to have any omission or error corrected must within thirty days  
 after I have posted up this list in my office give to me or leave for me at my residence or place  
 of business notice in writing of his complaint and intention to apply to the Judge in respect  
 thereof."
- 25 Form of notice  
 by clerk.
4. Section 12 of the said Act is amended by inserting after  
 the word "office" in the 9th line thereof the following:—"and  
 30 the date of expiry of the time for giving notice of complaints  
 of omissions or errors."
5. Form 3 in the Schedule to the said Act is amended by  
 inserting after the word "law" in the 14th line thereof the  
 following:—
- "Any person desiring to have any error or omission corrected must on or before the  
 35 day of \_\_\_\_\_, 19 . . . , give to me or leave for me at my residence or place of business  
 notice in writing of his complaint and intention to apply to the Judge in respect thereof."

Rev. Stat.  
 c. 7, s. 10,  
 amended.

Notice to be  
 posted up  
 with list.

Rev. Stat.  
 c. 7, s. 10,  
 amended.

Notice on  
 cover of lists  
 transmitted.

Rev. Stat. c.  
 7, sched. form  
 2, amended.

Rev. Stat.  
 c. 7, s. 12,  
 amended.

Rev. Stat. c.  
 7, sched. form  
 3, amended.

Rev. Stat. c. 17, s. 17, sub-s. 3, amended. **6.** Sub-section (1) of section 17 of the said Act is amended by inserting after the word "business" in the 5th line thereof the words "or cause to be so given or left."

Rev. Stat. c. 7, s. 17, sub-s. 3, amended. **7.** Sub-section (3) of the said section 17 is amended by adding at the end of said sub-section the following:—"and the mode of service of notice upon the person with respect to whom a complaint has been made shall be as follows:—

- Mode of serving notice of complaint.
- (a) Service upon the person personally shall always be sufficient.
  - (b) Leaving the notice for the person at his residence or place of business within the municipality shall always be sufficient; and where the person has a known residence or place of business within the municipality service must be made either by leaving the notice for him at such residence or place of business or by handing it to him personally.
  - (c) Where the person has no known residence or place of business within the municipality mailing the notice through the post office to his address shall be sufficient; but (except where the person in question is one who is entered on Part II. of the list as non-resident) inquiry as to his residence and address is first to be made at the premises for which he is entered or is sought to be entered on the voters' list, and where his address is not known to be or found by such inquiry to be different, his post office address may be taken to be that which is entered in the voters' list or if none is so entered then that which is nearest to the premises in respect of which he is entered or is sought to be entered on the voters' list.
  - (d) In the case of a person entered or sought to be entered on the list as a farmer's son, leaving the notice for him at the residence of the farmer whose son he is shall be sufficient.





No. 91.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

An Act to further amend The Ontario  
Voters' Lists Act.

First Reading, 1st March, 1901.

MR. MACDARACH.

TORONTO:

PRINTED BY L. K. CAMERON,  
Printer to the King's Most Excellent Majesty.

An Act to amend The Assessment Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

- 1, Sub-section (26) of section 7 of *The Assessment Act* is amended by substituting “\$1,000” for “\$700” wherever “\$700” occurs in said sub-section. Rev. Stat. c. 224, s. 7, subs. 26, amended.  
Ex nption of personal earnings.
- 3. Sections 97, 98, 99, 100 and 106 of the said Act are repealed. Rev. Stat. c. 223, ss. 97-100 and 106, repealed.  
Poll-tax.

No. 92.

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4th Session, 9th Legislature,  
1 Edward VII., 1901.

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BILL.

An Act to amend The Assessment Act.

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First Reading. 1st March, 1901.

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MR. MACDILLARD.

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TORONTO:

PRINTED BY I. K. CAMERON.

Printer to the King's Most Excellent Majesty.

## An Act to amend The Public Health Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :—

1. *The Public Health Act* is amended by adding the following sections after section 107 :—

Rev. Stat.  
c. 248,  
amended.

**107a.** No hospital, sanitarium, institution or place for the reception, care or treatment of persons having any contagious or infectious disease, shall hereafter be maintained or kept within one hundred and fifty yards of an inhabited dwelling.

Hospitals for  
for infectious  
diseases not to  
be within 150  
yards of  
dwelling.

10 **107b.** Any person or persons who shall, contrary to the provisions of the last preceding section, maintain or keep any such hospital, sanitarium, institution or place, or who shall take part in the superintendance or management thereof, after notice in writing by the local board of health, or an officer  
15 thereof, to desist from so doing, shall be liable to a penalty not exceeding \$25 for each and every day on which, after said notice in writing, the offence is continued.

Penalty.

20 Section 107 of *The Public Health Act* is amended by adding after the word "reception" in the first line of such section the words "as also all hospitals or places of reception for persons having contagious or infectious diseases."

Rev. Stat.  
c. 248, s. 107,  
amended.

No. 93.

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4th Session, 9th Legislature,  
1 Edward VII, 1901.

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BILL.

An Act to amend The Public Health Act.

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First Reading, 1st March, 1901.

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Mr. HILL.

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TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

## An Act to amend The Assessment Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Notwithstanding anything in *The Assessment Act* or  
5 any other Act contained, the council of any local municipality  
lying within a distance of five miles of any city having  
100,000 inhabitants or more, may by by-law appoint and  
authorize the treasurer of such municipality to levy and col-  
lect all taxes, rates and assessments which may be imposed  
10 from year to year by such council, with all the powers con-  
ferred by law upon the collector of taxes, and from and after  
such appointment the duties and powers imposed and conferred  
upon collectors of municipalities by statute or municipal by-  
law shall be fulfilled and exercised by the treasurer so  
15 appointed.

Appointment  
of treasurer as  
collector of  
taxes in cer-  
tain muni-  
cipalities.

No. 94

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL

An Act to amend The Assessment Act.

First Reading, 1st March, 1901.

MR. HULL.

TORONTO:

PRINTED BY L. K. CAMERON,  
Printer to the King's Most Excellent Majesty.



An Act to amend The Municipal Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :—

1. Sub-section 3 of Section 566 of *The Municipal Act* is repealed and the following is substituted therefor :—
3. For authorizing any gas, water or pneumatic transit company to lay down pipes or conduits for the conveyance of water, gas or merchandise and other things under streets or public squares, subject to such regulations as the council sees fit.

Rev. Stat. c. 223, Sec. 566, subs. 3, amended.

Authorizing gas, water or pneumatic companies to lay down pipes.

No. 95.

---

4th Session, 9th Legislature,  
1 Edward VII, 1901.

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BILL.

An Act to amend The Municipal Act.

---

First Reading, 5th March, 1901.

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Mr. GRAHAM.

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TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

No. 96.]

## BILL.

[ 1901.

An Act authorizing municipal grants for the reception of Their Royal Highnesses the Duke and Duchess of Cornwall and York.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :—

1. Any municipal council within the Province may include Authorizing reception to Duke and Duchess of Cornwall and York.  
5 in their estimates, and expend such sums as may be deemed prudent in giving a fitting reception to Their Royal Highnesses the Duke and Duchess of Cornwall and York upon their visit to Canada during the year 1901, or as soon thereafter as the said visit may be made, and such expendi-  
10 tures are hereby made legal and valid.

No. 96.

---

4th Session, 9th Legislature,  
1 Edward VII., 1901.

---

BILL.

An Act authorizing municipal grants for  
the reception of Their Royal Highnesses  
the Duke and Duchess of Cornwall and  
York.

---

First Reading, 5th March, 1901.

---

MR. PYNE.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

An Act for the better protection of Drainage  
Works.

**H**IS MAJESTY, by and with the advice and consent of the  
Legislative Assembly of the Province of Ontario enacts  
as follows :

1. Section 34 of *The Ditches and Watercourses Act* is here-  
5 by amended by adding thereto the following : Rev. stat.  
c. 285, s. 34  
amended.

Provided that the owners of the land through which a ditch  
passes may be ordered to remove obstructions caused by his  
action or neglect to protect the said ditch from injury by his  
cattle or otherwise and such owner whether originally liable  
10 for the construction or maintenance of a portion of the ditch  
or not shall be liable for the cost of the removal of such  
obstructions as if he had been originally ordered to construct  
or maintain said portion of said ditch.

2. Sub-section 1 of section 35 of the said Act is amended  
15 by inserting after the said word "ditch" in the second line the  
words "or through whose lands a portion of the ditch passes" Rev. stat.  
c. 285, s. 35,  
subs. 1,  
amended.  
and by inserting after the word "award" in the third line the  
words "or to remove obstructions in that portion of the ditch  
passing through his land."

No. 97.

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4th Session, 9th Legislature,  
1 Edward VII., 1901.

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BILL.

An Act for the better protection of drainage works.

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First Reading, 5th March, 1901.

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Mr. FOX.

TORONTO :

PRINTED BY I. K. CAMERON,  
Printer to the King's Most Excellent Majesty.

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No. 98.]

**BILL**

[1901.

**An Act to amend The Municipal Act.**

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Clause (b) of subsection 3 of Section 696 of *The Municipal Act* is hereby amended by striking out in the third and fourth lines of said section the words "to include a sinking fund." Rev. Stat. c. 223, s. 696, sub-s. 3, amended.

No. 98.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

An Act to amend The Municipal Act.

First Reading, 5th March, 1901.

MR. TAYLOR.

TORONTO:

PRINTED BY L. K. CAMERON.

Printer to the King's Most Excellent Majesty.



## An Act respecting Habitual Drunkards.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Any person who is proven before a competent Court to be an habitual drunkard shall not have a right to manage or dispose of any real or personal estate. Habitual drunkards not to manage property.
2. Any such person may, on petition by her or his husband or wife, or by any blood relation, or by any relation by marriage, or by any public officer, filed in the High Court of Justice for Ontario and presented before any Judge of the High Court of Justice for the Province of Ontario, be declared unable to manage any business and may be interdicted and declared incompetent to transact any business whatever. Application for declaration of incompetence.
3. On presentation of a petition, which may be in the form in Schedule A to this Act, before any Judge of the High Court of Justice for the Province of Ontario, he shall cause to be summoned before him the said alleged drunkard and the nearest friends and relatives or neighbors of the party sought to interdicted, and shall take or cause to be taken in writing the evidence under oath of all such witnesses; and after such proof, if the Judge be satisfied that the party petitioned against is an habitual drunkard and is not able to manage his own affairs, he may declare any such person interdicted, and may appoint a proper person to manage the estate of any such person, as if such person were a minor; and such person shall thereafter be considered for all legal purposes a minor. Procedure in application.
4. No petition shall be received by any Judge unless such petition shall set forth clearly the facts intended to be relied on, and be attested on oath by the petitioner and at least two credible witnesses, as shown in the form in Schedule B to this Act. Petition to be verified on oath.
5. Any person petitioned against, or any one acting for him, may resist the granting of such petition and may join issue with the plaintiff and produce evidence in his own behalf. Opposing application.

- 6.** Any person interdicted, if confined by the order of the Court or Judge, as he may be in any place the Court or Judge may think proper, shall be visited at least once in every month by the sheriff of the county or judicial district, or by any clergyman the Court or Judge may order: and at any time any duly licensed medical man may, on petition, cause such person to be examined before a Judge of the said Court, and if found sane and safe to be freed from control, such person shall be discharged and if, in the judgment of the Judge, he is able, shall be restored to all his legal rights. 5 10
- 7.** Any person interdicted on account of habitual drunkenness may, on proof to the effect of such person having refrained from drunkenness for full twelve months, be declared by any Judge of the High Court of Justice for the Province of Ontario restored to all his legal rights. 15
- 8.** The Registrar of the High Court of Justice for the Province of Ontario shall cause to be posted up in his office a list of all parties interdicted under this Act, together with the date of such interdiction, and any other information that will tend to describe such person: and on any such person being restored to his legal rights as provided for in this Act, the name of such shall be erased from all such lists, and a notice of his restoration to his rights be placed opposite such erasure. 20
- 9.** Any contract, bargain, sale or business transaction whatever entered into with any person interdicted under this Act, until such interdiction be removed in manner aforesaid, shall be absolutely null and void and of no effect. 25
- 10.** On the request in writing of any of the relations or friends of any interdicted person, or without such application, any Judge of the High Court of Justice for the Province of Ontario may order the person appointed to administer the estate of such person to make a return of his transactions and show the actual state of the estate and any and all information touching the premises that to the Judge may seem proper. 30
- 11.** Nothing in this Act shall be deemed or understood to prevent any person who, as a curator or trustee to any estate under this Act or otherwise, commits any offence that would render him liable to be punished under the criminal law of Canada from being so punished. 35

Examination of person so declared.

Declaration of restoration to legal rights.

List of persons declared incompetent to be posted up.

Contracts of person interdicted to be void.

Application for accounting by administrator.

Liability to criminal prosecution not affected.

## SCHEDULES.

The following are the Schedules referred to in this Act :—

## SCHEDULE A.

(Section 3.)

Petition to interdict drunkard.

In the High Court of Justice.

To the Honorable the Judges of the High Court of Justice for Ontario :

The petitioner of the undersigned (name, quality and degree of relationship of the petitioner, or otherwise, as the case may be), humbly sheweth:

That A. B. being (here state the fact.)

Wherefore, your petitioner humbly prays that your Lordships may order the said A. B. to be brought before you or any of you and, on proof as required by law in that behalf, may be pleased to grant the prayer of your petitioner, and pronounce judgment interdicting the said A. B. according to law.

And your petitioner will ever pray.

C. D.

## SCHEDULE B.

(Section 4.)

Affidavit in support of petition.

I, C. D., the petitioner above named, being duly sworn, do depose and say that all the facts alleged and set forth in the above petition are true, and that the same is not made with any other object than for the purpose of obtaining justice in the premises.

Sworn before me at this }  
day of 19 }  
A Commissioner, etc.

C. D.

We, the undersigned, having been duly sworn, depose and say that we are acquainted with the petitioner and that to our knowledge all the facts set forth in the above petition are true.

Sworn before me by E. F. and G. H. }  
at this day of 19 }  
A Commissioner, etc.

E. F.  
G. H.

No. 99.

---

4th Session, 9th Legislature,  
1 Edward VII., 1901.

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BILL.

An Act respecting Habitual Drunkards.

---

First Reading, 5th March, 1901.

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MR. L'AMSDEN.

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TORONTO:

PRINTED BY J. K. CARRON,

Printer to the King's Most Excellent Majesty.

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No. 100. ]

# BILL.

[ 1901.

An Act to amend The Trustee Investment Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows :

Subsection 1 of section 5 of *The Trustee Investment Act* as R.S.O. cap. 130, s. 5 sub<sup>s</sup>. 1 amended by section 32 of 62 Victoria (2) Chapter 11 is amended. amended by striking out the word or figure "25" in clause (a) in the tenth line thereof and substituting therefor the word or figure "7."

No. 100.

---

4th Session, 9th Legislature,  
1 Edward VII., 1901.

---

BILL.

An Act to amend The Trustee Investment  
Act.

---

First Reading, 5th March, 1901.

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Mr. GIBSON

TORONTO:

PRINTED BY L. K. GAMERON,

Printer to the King's Most Excellent Majesty.

## An Act to amend The Trustee Investment Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows :

Subsection 1 of section 5 of *The Trustee Investment Act* as amended by section 32 of 62 Victoria (2) Chapter 11 is amended by striking out the word or figure "25" in clause (a) in the tenth line thereof and substituting therefor the word or figure "7" and by striking out the words or figures five hundred thousand dollars (\$500,000) in the seventh line thereof and substituting therefor the words or figures four hundred thousand dollars (\$400,000).  
Rev. Stat. cap. 130, s. 5, sub-s. 1, amended.

No. 100.

---

4th Session, 9th Legislature,  
1 Edward VII., 1901.

---

BILL.

An Act to amend The Trustee Investment  
Act.

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First Reading, 5th March, 1901.  
Second Reading, 14th March, 1901.

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*(Reprinted as amended in Committee of  
Houses)*

MR. GIBSON.

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TORONTO:

PRINTED BY L. K. CAMERON,  
Printer to the King's Most Excellent Majesty.



An Act respecting The Lady Stanley Institute for Trained Nurses, and the County of Carleton General Protestant Hospital.

**W**HEREAS The Lady Stanley Institute for Trained Nurses (hereinafter called the Institute) is a body corporate hitherto carrying on at the City of Ottawa the work of training nurses for the sick and affording a residence or home for trained nurses; and whereas the County of Carleton General Protestant Hospital (hereinafter called the Hospital) is also a body corporate carrying on hospital work at the said City of Ottawa; and whereas the Institute has devoted practically all its time of recent years towards supplying nurses for the Hospital and the Hospital has under agreement paid the expenses attending the maintenance and management of the Institute; and whereas it is deemed unnecessary and inadvisable to continue the management of both institutions under two distinct boards of trustees and the Institute as a distinct corporation: and whereas the Institute desires to convey, assign, transfer and set over its assets, real and personal to the Hospital and the Hospital has agreed to accept same and thereafter to continue the maintenance of a school or institute for training nurses for the sick and a home or residence for trained nurses under the name of the Lady Stanley Institute for Trained Nurses; and whereas the Institute and the Hospital have petitioned for an Act enabling them to carry out the objects aforesaid; and whereas it is expedient to grant the prayer of the said petition.

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. The said Institute is hereby authorized and empowered to convey, assign, transfer and set over all its assets, real and personal unto the said Hospital; such transfer as regards the personal estate of the Institute to be complete upon delivery of the possession thereof and as to its real estate upon execution and delivery of a deed of conveyance to which is affixed the corporate seal of the Institute, as attested by the signatures of its president and secretary.

Institute authorized to assign its property, etc. to General Hospital.

- Hospital authorized to accept assignment and continue work of Institute.
2. The Hospital is hereby authorized and empowered to receive said real and personal estate and hereafter to continue the maintenance of the Institute property as a training school for nurses, whereby they may receive a thorough training and be given a diploma upon completing the curriculum and passing such medical and nursing examinations as the Hospital may prescribe. The hospital is also authorized and empowered to maintain the buildings on said property so to be transferred and erect other buildings thereon if found necessary for the further purposes of providing a home for nurses whereby those properly trained may be supplied to private families in the City of Ottawa and elsewhere. 5 10
- Name of Training School.
3. The said training school and home for nurses so to be maintained by the Hospital shall continue to be known and designated as the Lady Stanley Institute for Trained Nurses. 15
- Life directors.
4. All members of the Institute who have donated to its funds, apart from their yearly subscriptions, the sum of one hundred dollars or more shall from and after the date of the completion of the transfer as by this Act provided be and become life directors of the Hospital. 20
- Surrender of incorporation on transfer of assets.
5. Upon the completion of the transfer of the assets of the institute to the Hospital under authority of this Act and upon provision being made for the satisfaction of the debts and obligations of the Institute, the certificate of incorporation of the Institute shall thereupon become surrendered. 25



No. 101.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

An Act respecting The Lady Stanley Institute for Trained Nurses, and the County of Carleton General Protestant Hospital.

First Reading . . . . . 1901.

(Private Bill)

Mr. LAMSDEN.

TORONTO:

PRINTED BY L. K. CARROLL,

Printer to the King's Most Excellent Majesty.

An Act respecting The Lady Stanley Institute for Trained Nurses, and the County of Carleton General Protestant Hospital.

**W**HEREAS The Lady Stanley Institute for Trained Nurses <sup>Preamble.</sup> (hereinafter called the Institute) is a body corporate hitherto carrying on at the City of Ottawa the work of training nurses for the sick and affording a residence or home for trained nurses: and whereas the County of Carleton General Protestant Hospital (hereinafter called the Hospital) is also a body corporate carrying on hospital work at the said City of Ottawa; and whereas the Institute has devoted practically all its time of recent years towards supplying nurses for the Hospital and the Hospital has under agreement paid the expenses attending the maintenance and management of the Institute; and whereas it is deemed unnecessary and inadvisable to continue the management of both institutions under two distinct boards of trustees and the Institute as a distinct corporation: and whereas the Institute desires to convey, assign, transfer and set over its assets, real and personal to the Hospital and the Hospital has agreed to accept same and thereafter to continue the maintenance of a school or institute for training nurses for the sick and a home or residence for trained nurses under the name of The Lady Stanley Institute for Trained Nurses; and whereas the Institute and the Hospital have petitioned for an Act enabling them to carry out the objects aforesaid; and whereas it is expedient to grant the prayer of the said petition.

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. The Institute is hereby authorized and empowered to convey, assign, transfer and set over all its assets, real and personal unto the Hospital: such transfer as regards the personal estate of the Institute to be complete upon delivery of the possession thereof and as to its real estate upon execution and delivery of a deed of conveyance to which *shall be* affixed the corporate seal of the Institute, as attested by the signatures of its president and secretary.

Institute authorized to assign its property, etc. to General Hospital.

Hospital  
authorized to  
accept assign-  
ment and con-  
tinue work of  
Institute.

2. The Hospital is hereby authorized and empowered to receive said real and personal estate and hereafter to continue the maintenance of the Institute property as a training school *and home* for nurses. The Hospital is also authorized and empowered to maintain the buildings on *the* said property so to be transferred and erect other buildings thereon if found necessary for the purposes of ~~the~~ the said training school and home for nurses. ~~et~~

Name of  
Training  
School.

3. The said training school and home for nurses so to be maintained by the Hospital shall continue to be known and designated as The Lady Stanley Institute for Trained Nurses.

Life  
directors.

4. All members of the Institute who have donated to its funds, apart from their yearly subscriptions, the sum of one hundred dollars or more shall from and after the date of the completion of the transfer as by this Act provided be life directors of the Hospital.

Surrender of  
incorporation  
on transfer of  
assets.

5. Upon the completion of the transfer of the assets of the Institute to the Hospital under authority of this Act and upon provision being made for the satisfaction of the debts and obligations of the Institute, the certificate of incorporation of the Institute shall *lapse*.



No. 101.

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4th Session, 9th Legislature,  
1 Edward VII., 1901.

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BILL.

An Act respecting The Lady Stanley Institute for Trained Nurses, and the County of Yorkton General Protestant Hospital.

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First Reading 12th March, 1901.

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*(Reprinted as amended by Private Bills  
Committee)*

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MR. LUMSDEN.

TORONTO:

PRINTED BY L. K. CAMPBELL.

Printer to the King's Most Excellent Majesty.



An Act to enable the corporation of the Town of Hespeler to lease or sell certain lands.

WHEREAS the Corporation of the Town of Hespeler by Preamble.  
petition has shown that a certain plot of land in  
the said Town of Hespeler, and being composed of a portion of  
township lot number ten in the third concession of Richard  
5 Beasley's lower block of the Township of Waterloo, now within  
the corporation of the Town of Hespeler, and being that por-  
tion of land lying between the River Speed, the Grand Trunk  
Railway and Avenue street, in the Town of Hespeler, and  
containing by admeasurement five acres, be the same more or  
10 less, and more particularly described in a certain deed of con-  
veyance dated the 1st of September, A. D., 1884, by John  
Harvey and others to the Village of Hespeler, was conveyed  
to the corporation of the Village of Hespeler for the purpose  
of a town hall, engine house, public park and other pur-  
15 poses; and, whereas, it is represented by the said corporation  
of the Town of Hespeler that the said lands are no longer suit-  
able for the purpose of a park, and are totally unfit for a place  
of public recreation or public park, and are valuable and would  
be valuable as manufacturing sites, but are at present unproduc-  
20 tive property; and whereas the said corporation has prayed  
that it may be enabled to lease, sell or dispose of the whole or  
any portion of said lands on such terms and conditions and for  
such consideration or considerations as the said corporation  
may see fit, and that in case of sale or disposal thereof, the price  
25 received therefor shall be devoted to the special purposes here-  
inafter mentioned; and, whereas it has been shown that certain  
portions of the said lands have been disposed of by the said  
corporation, acting under the belief that it had the power to  
dispose of the same; and whereas deeds of confirmation of  
30 these portions of said park lands so leased or disposed of have  
been applied for, and the said corporation is desirous of grant-  
ing same; and whereas it is expedient to grant the prayer of  
the said petition;

Therefore His Majesty, by and with the advice and consent  
35 of the Legislative Assembly of the Province of Ontario, enacts  
as follows:

1. The Corporation of the Town of Hespeler may pass a by-  
law or by-laws for the leasing, selling or disposing of the whole  
Power to lease  
or sell lands in  
Hespeler.

or any portion of the said lands, and may by such by-law or by-laws authorize the leasing, selling or disposing of the same in one or more parcels, and either by public auction, tender or private contract, and on such conditions and on such terms and for such consideration or considerations as to the said corporation may seem proper. 5

Execution of lease or conveyance.

2. Every lease or conveyance of the said lands, or any part thereof authorized by any such by-law or by-laws, and made by the said Corporation of the Town of Hespeler in pursuance of such by-law or by-laws to the lessees or purchasers thereof, shall be executed under the corporate seal of the said Town of Hespeler and be signed by the mayor and clerk thereof for the time being, and every lease or conveyance so executed and signed shall be deemed to have been duly executed, and shall be binding upon the said corporation according to the estate or interest conveyed or intended so to be. 10 20

Confirmation of leases or conveyances heretofore made.

3. Every lease or conveyance of any part of the said lands heretofore made by the said Corporation of the Town of Hespeler may be confirmed by by-law of the said Corporation of the Town of Hespeler, and deeds of confirmation or leases of confirmation to be given in pursuance of the terms of said by-law, shall be executed under the corporate seal of the said Town of Hespeler and signed by the mayor and clerk thereof for the time being. 25

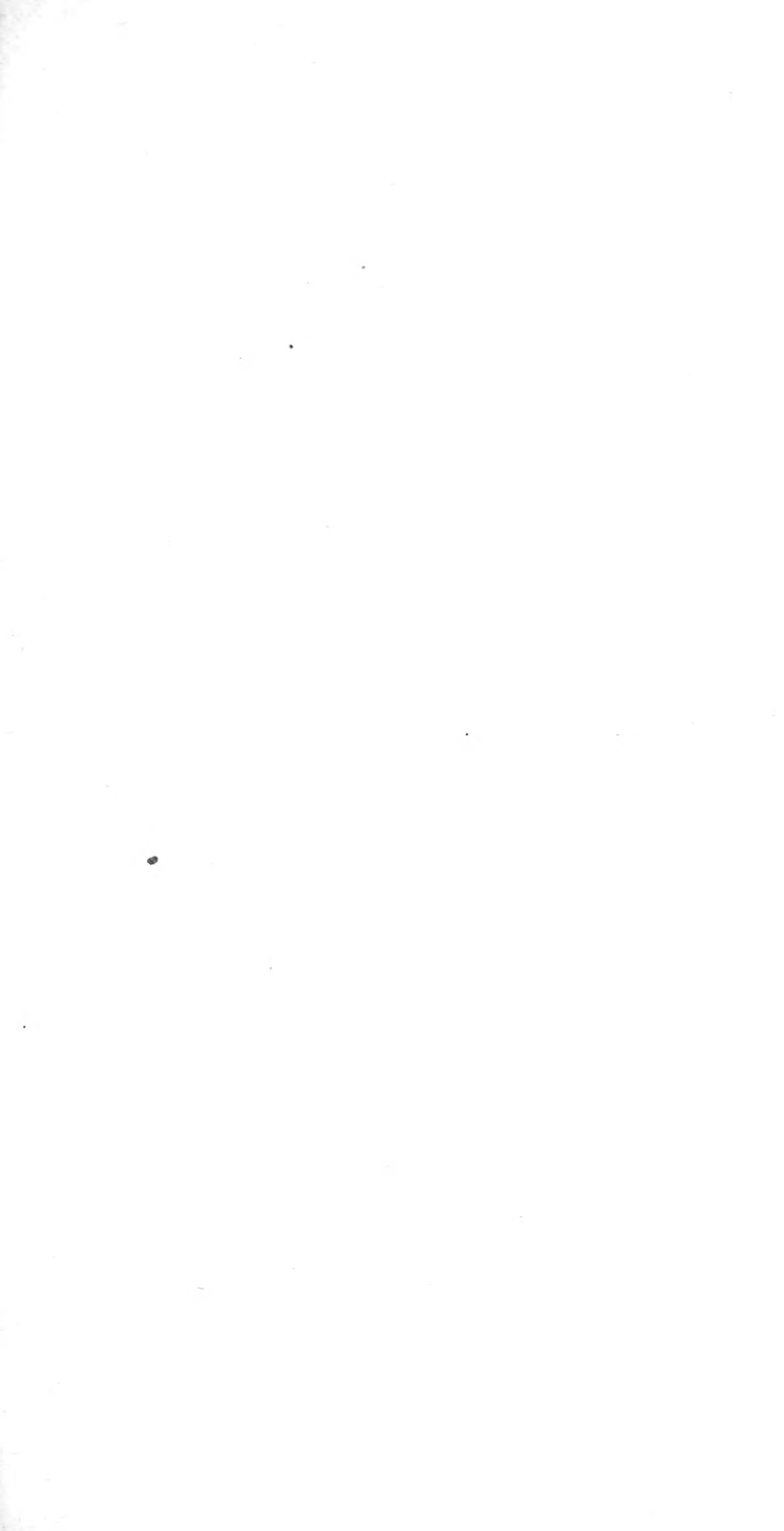
Application of proceeds of leases or sales.

4. The money realized from such lease or leases, sale or sales shall be applied to the purchase of a park for the use of the said municipality, or for the purposes of the public library of the said Town of Hespeler, as the Corporation of the said Town of Hespeler shall direct, but no lessee or purchaser shall be bound to see to the application of any such moneys. 30 35

Assent of electors not required.

5. It shall not be necessary to obtain the assent of the electors of the said town to the passing of any such by-law under this Act, or to observe the formalities in relation thereto prescribed by *The Municipal Act*, or any Act amending the same. 40

Rev. Stat. c. 223.



No. 102.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

An Act to enable the Corporation of the  
Town of Hespeler to lease or sell certain  
lands.

First Reading,                      , 1901.

(Private Bill)

Mr. KIRBS.

TORONTO:

PRINTED BY J. K. GAMRON,

Printer to the King's Most Excellent Majesty.

An Act to enable the corporation of the Town of Hespeler to lease or sell certain lands.

**W**HEREAS the Corporation of the Town of Hespeler by <sup>Preamble</sup> petition has shown that a certain plot of land in the said Town of Hespeler, and being composed of a portion of township lot number ten in the third concession of Richard Beasley's lower block of the Township of Waterloo, now within the corporation of the Town of Hespeler, and being that portion of land lying between the River Speed, the Grand Trunk Railway and Avenue street, in the Town of Hespeler, and containing by admeasurement five acres, be the same more or less, and more particularly described in a certain deed of conveyance dated the 1st of September, A. D., 1884, by John Harvey and others to the Village of Hespeler, was *acquired by* the corporation of the Village of Hespeler for the purposes of a town hall, engine house, public park and other purposes; and, whereas, it is represented by the said Corporation of the Town of Hespeler that the said lands are *not* suitable for a *public* park, *but* are, *or* would be, valuable as manufacturing sites;<sup>427</sup> and whereas doubt has arisen as to the power of the said corporation to dispose of the said lands;<sup>354</sup> and whereas the said corporation has prayed that it may be enabled to lease, sell or dispose of the said lands; and, whereas it has been shown that certain portions of the said lands have been disposed of by the said corporation, acting under the belief that it had the power to dispose of the same; and whereas deeds of confirmation of these portions of *the* said lands so leased or disposed of have been applied for, and the said corporation is desirous of granting *the* same; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The Corporation of the Town of Hespeler may <sup>427</sup>dispose of the said lands in the manner in which lands no longer required by a town for a public park may be disposed of under the provisions of *The Municipal Act*; and the said corporation may by by-law or by-laws passed in accordance with the

Power to lease or sell lands in Hespeler.  
Rev. Stat. c. 223.

requirements of *The Municipal Act* dispose of the said lands or of any portion or portions thereof by way of bonus.<sup>63</sup>

Confirmation  
of leases or  
conveyances  
heretofore  
made.

3. Every lease or conveyance of any part of the said lands heretofore made by the said Corporation of the Town of Hespeler is confirmed



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4th Session, 9th Legislature,  
1 Edward VII, 1901.

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BILL.

An Act to enable the Corporation of the  
Town of Hespeler to lease or sell certain  
lands.

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First Reading, 12th March, 1901.

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*(Reprinted as amended by Private Bills  
Committee)*

Mr. KRUIS.

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TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.



An Act respecting the Welland-Vale Manufacturing Company, Limited.

**W**HEREAS The Welland-Vale Manufacturing Company, Limited, a company incorporated by Letters Patent on the 21st day of October, 1873, under the provisions of *The Ontario Joint Stock Companies Letters Patent Act*, has by its Petition prayed that an Act may be passed confirming By-law No. 1,421 of the Corporation of the City of St Catharines, passed on the 28th day of February, 1901, intituled "A By-law to authorize The Welland-Vale Manufacturing Company (Limited), to assign to The Welland-Vale Manufacturing Company (Limited), a new company, the benefits granted by a certain By-law of this Corporation," and an agreement bearing even date therewith, between the corporation and the company, which by-law and agreement are respectively set out in schedules "A" and "B" to this Act; and whereas the said corporation of the city of St. Catharines is an assenting party hereto; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. By-law No. 1,421 of the Corporation of the City of St. Catharines, passed on the 28th day of February, 1901, intituled "A By-law to authorize The Welland-Vale Manufacturing Company (Limited) to assign to The Welland-Vale Manufacturing Company (Limited), a new company, the benefits granted by a certain By-law of this Corporation," and the agreement bearing even date therewith, made between the said corporation and the said company, and set out respectively in schedules "A" and "B" to this Act, are hereby confirmed.

2. The carrying on of a saw manufacturing business by the said company at the city of St. Catharines subsequent to the 20th day of August, 1900, is hereby declared not to have been a breach of the agreement between the said company and the corporation of the city of St Catharines, dated the 25th day of June, 1900; nor shall the carrying on hereafter of the said saw manufacturing business by the said company or by the new company above mentioned, in the event of such company

By-law 1,421  
of the City of  
St. Catharines  
confirmed.

Permission to  
carry on saw  
manufacturing.

acquiring the rights of the old company, as in the agreement and by-law set out in schedules "A" and "B" hereto provided, be deemed to be a breach of the said agreement of the 25th day of June, 1900.

## SCHEDULE A.

### BY-LAW No. 1,421.

A by-law to authorize the Welland-Vale Manufacturing Company (Limited) to assign to the Welland-Vale Manufacturing Company (Limited) a new company, the benefits granted by a certain by-law of this corporation.

Whereas by a by-law of the corporation of the city of St. Catharines (hereinafter called the corporation) duly passed on the twentieth day of August, 1900, and numbered 1,304, the corporation did grant to the Welland-Vale Manufacturing Company (Limited) (hereinafter called the company) certain aid by way of bonus to the extent and amounts therein mentioned.

And whereas the said by-law before being passed by the council of the corporation had received the legally required majority of the votes of the qualified electors of the city of St. Catharines, at a voting taken thereon pursuant to the provisions of the Municipal Act on the 18th day of July, 1900.

And whereas since the passing of the said by-law, a company has been created by Letters Patent under the Great Seal of Ontario bearing date the 7th day of February, 1901, also called the Welland-Vale Manufacturing Company (Limited) (hereinafter called the new company) having extended powers and a larger capital stock, for the purpose among others and with the object of taking over the property and assets of the company and continuing and enlarging the manufacturing business heretofore and now carried on by the company at the city of St. Catharines.

And whereas the new company has not yet been organized for the commencement of business pursuant to Section 16 of *The Companies Act*.

And whereas it is desirable and expedient that the benefits and advantages granted to the company by the said by-law number 1304 should enure to the new company and that the company should be authorized and empowered to grant and assign to the new company and that the new company should be authorized to acquire and enjoy all the benefits and advantages by the said by-law granted to or conferred upon the company, subject to all the terms, conditions, provisos and stipulations made and contained in the said by-law and in a certain agreement therein referred to, executed by and between the corporation and the company bearing date the 25th day of June, 1900.

And whereas at the time of the passing of said by-law number 1304 and the execution of said agreement the company was engaged in the manufacture of saws at a site on the southerly side of St. Paul Street in the city of St. Catharines and the buildings used by the company for said purpose have since been destroyed by fire.

And whereas the new company intends to continue the manufacture of saws with its other business on its site and premises near Lock Number 2 on the Old Welland Canal and it is desirable to make it plain and clear that under the terms and provisions of the said by-law and agreement the company were not to be prevented or restrained and that the new company shall not be prevented or restrained from the manufacture of saws in the city of St. Catharines.

Therefore the council of the corporation of the city of St. Catharines enacts as follows :

1. That the company is hereby authorized to grant and assign to the new company so soon as the new company shall be organized for the commencement of business under the provisions of the Ontario Companies' Act and the new company is hereby authorized to take over and enjoy all the benefits, advantages and exemptions granted to or conferred upon the company by said by-law number 1394 of this corporation passed on the 20th day of August, 1900, subject to all the terms, conditions, provisos and stipulations made and contained in said by-law and in a certain agreement referred to in said by-law and relating thereto executed by and between the corporation and the company bearing date the 25th day of June, 1900.

Provided that the new company shall complete its organization for the commencement of business within one month after the prorogation of the present session of the Legislative Assembly of Ontario, and that the said grant and assignment by the company to the new company shall be made and effected within one week after such organization.

And further provided that the new company shall contemporaneously with the said grant and assignment to it by the company enter into an agreement under its corporate seal with the corporation to perform, observe and abide by all the terms, conditions, provisos and stipulations of the said by-law number 1394 and of the said agreement referred to therein and relating thereto bearing date the 25th day of June, 1900.

2. That it was not intended in and by the said agreement of the date of the 25th day of June, 1900, to prevent or restrict the company from the manufacture of saws in the city of St. Catharines and that so far as this corporation is concerned the said agreement shall not be held to intend or mean that the new company shall be prevented or restricted in the manufacture of saws in the city of St. Catharines provided only that if the new company shall engage in the manufacture of saws at or in connection with the present site or business of the company near Lock 2 on the Old Welland Canal, the amounts paid by the new company in wages to its operatives and workmen in connection with that department of its business shall be kept separate and distinct and shall not be considered as forming any part of the amount required under the terms of said agreement to be paid for wages to its employees and workmen.

3. The mayor is hereby empowered on behalf of this corporation to execute and deliver an agreement bearing date the 28th day of February, 1901, by and between the corporation and the company for the purpose of carrying into effect the objects and purposes of this by-law.

4. That neither this by-law nor the agreement referred to in the preceding paragraph hereof shall have any force or effect until confirmed and validated by Act of the Legislative Assembly of the Province of Ontario.

Passed this 28th day of February, 1901.

(Signed) Jno. S. McCLELLAND,  
City Clerk.

(Signed) J. B. McINTYRE,  
Mayor.

[Seal]  
Corporation of St. Catharines, Ont.

### SCHEDULE B.

This agreement made the twenty-eighth (28) day of February, one thousand nine hundred and one, between the Corporation of the City of St. Catharines hereinafter called the "Corporation," of the first part, and The Welland Vale Manufacturing Company, Limited, hereinafter called the "Company," of the second part.

Whereas the corporation on the 20th day of August, 1900, duly passed a By-law entitled "A By-law to aid by way of bonus The Welland-Vale Manufacturing Company, Limited";

And whereas the corporation and company duly entered into an agreement bearing date the 23th day of June, 1900, in connection therewith ;

And whereas since the passing of said by-law and execution of said agreement a new company has been incorporated under the name of "The Welland Vale Manufacturing Company, Limited," pursuant to the provisions of *The Ontario Companies Act*, with power to acquire and take over the assets, rights and privileges of the company and to assume the obligations and liabilities thereof ;

And whereas doubts have arisen as to whether the company can legally transfer to the new company the rights and privileges granted to the company by said by-law and agreement ;

And whereas since the passing of the said by-law and agreement the saw manufacturing premises owned and operated by the company prior to the passing thereof in the rear of St. Paul Street in the city of St. Catharines have been destroyed by fire ;

And whereas the company desires to consolidate the said businesses on the premises of the company near Lock 2, Old Welland Canal, and it is desirable to make it plain and clear that under the terms and provisions of the said by-law and agreement the company was not to be restricted in the right to continue the manufacture of saws and to consolidate their business on the said premises near Lock 2; if they so desired ;

And whereas the corporation has by by-law No. 1421 passed on the 28th day of February, 1901, authorized the execution of this agreement ;

Now this agreement witnesseth that in consideration of the premises and of the sum of one dollar paid by the company to the corporation (the receipt whereof is hereby acknowledged) the corporation agrees with the company that the latter may, if it so desires, assign, transfer and set over unto the new company all the benefits, exemptions, privileges and advantages possessed by, and all sums of money due or to become due to the company under the said by-law and agreement or under this agreement ;

Provided however that the said new company shall contemporaneously with the assignment to it, enter into an agreement under seal with the corporation agreeing to observe and abide by all the conditions and stipulations in the said by-law and agreement and in this agreement contained and to be bound by the same in as full and ample a manner as the said company is bound ;

And the said corporation hereby declares that it was not intended in and by the said agreement of the 25th day of June, 1900, to prevent or restrict the company from the manufacture of saws in the city of St. Catharines and that so far as the corporation is concerned the said agreement shall not be held to intend or mean that the new company shall be prevented or restricted in the manufacture of saws in the city of St. Catharines ;

Provided however and the company hereby agrees with the corporation that in the event of the company engaging in the manufacture of saws at or in connection with the present site or business of the company near Lock No. 2 Old Welland Canal, the wages paid to men employed solely in connection with the said saw business shall not be considered as forming any part of the amount required to be expended by the company under the terms of the said agreement and by-law, and the company undertakes and agrees to keep a separate and distinct account in its books of the wages expended in connection with the said saw business.

Provided further that this agreement shall have no force or effect until it or the by-law authorizing its execution is confirmed by Act of the Legislative Assembly of the Province of Ontario.

In witness whereof this agreement has been executed.

Signed, sealed and delivered in the presence of,

(Signed) GEO. A. ALLAN.

(Signed) J. B. McINTYRE, Mayor.

[Seal] Corporation of St. Catharines

(Signed) WM. CHAPLIN, President,

Welland Vale Manf. Co., Limited.

[Seal] Welland Vale Manufacturing Company, St. Catharines.



No. 103.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

An Act respecting The Welland Vale Manufacturing Company, Limited.

First Reading, 1901.

(Private Bill)

Mr. JESSOP.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

An Act respecting The Welland-Vale Manufacturing Company, Limited.

**W**HEREAS The Welland-Vale Manufacturing Company, Limited, a company incorporated by Letters Patent on the 21st day of October, 1873, under the provisions of *The Ontario Joint Stock Companies Letters Patent Act*,<sup>27</sup> (hereinafter called the Company)<sup>28</sup> has by petition prayed that an Act may be passed confirming By-law No. 1,421 of the Corporation of the City of St. Catharines, passed on the 28th day of February, 1901, intituled "A By-law to authorize The Welland-Vale Manufacturing Company (Limited), to assign to The Welland-Vale Manufacturing Company (Limited), a new company, the benefits granted by a certain By-law of this Corporation," and an agreement bearing even date therewith, between the *municipal* corporation and the Company, which by-law and agreement are respectively set out in Schedules "A" and "B" to this Act; and whereas the said Corporation of the City of St. Catharines is an assenting party hereto; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** By-law No. 1,421 of the Corporation of the City of St. Catharines, passed on the 28th day of February, 1901, intituled "A By-law to authorize The Welland-Vale Manufacturing Company (Limited) to assign to The Welland-Vale Manufacturing Company (Limited), a new company, the benefits granted by a certain By-law of this Corporation," and the agreement bearing even date therewith made between the said *municipal* corporation and the Company, and set out respectively as Schedules "A" and "B" to this Act, are confirmed *and validated*.

**2.** It shall be lawful for the Corporation of the City of St. Catharines and the said new company to enter into an agreement that the said new company shall accept, perform, observe and abide by all the terms, conditions, provisos and stipulations made and contained in By-law No. 1,304 of the Corporation of the City of St. Catharines, and in the agreement be-

Preamble.

By-law 1,421 of the City of St. Catharines confirmed.

City and new company empowered to enter into an agreement.

tween the said municipal corporation and the Company dated the 25th day of June, 1900, in the same manner, as nearly as may be, as though the said last mentioned agreement had been made between the said municipal corporation and the said new company.

Permission to carry on saw manufacturing.

3. The carrying on of a saw manufacturing business by the Company at the City of St. Catharines subsequent to the 20th day of August, 1900, is declared not to have been a breach of the said agreement between the Company and the Corporation of the City of St. Catharines, dated the 25th day of June, 1900; nor shall the carrying on hereafter of the said saw manufacturing business by the Company or by the said new company in the event of the said new company acquiring the rights of the Company, as in the agreement and by-law set out in Schedules "A" and "B" hereto provided, be deemed to be a breach of the said agreement of the 25th day of June, 1900.

## SCHEDULE A.

### BY-LAW No. 1,421.

A by-law to authorize The Welland-Vale Manufacturing Company (Limited) to assign to The Welland-Vale Manufacturing Company (Limited) a new company, the benefits granted by a certain by-law of this corporation.

Whereas by a by-law of the corporation of the city of St. Catharines (hereinafter called the corporation) duly passed on the twentieth day of August, 1900, and numbered 1,304, the corporation did grant to The Welland-Vale Manufacturing Company (Limited) (hereinafter called the company) certain aid by way of bonus to the extent and amounts therein mentioned.

And whereas the said by-law before being passed by the council of the corporation had received the legally required majority of the votes of the qualified electors of the city of St. Catharines, at a voting taken thereon pursuant to the provisions of the Municipal Act on the 18th day of July, 1900.

And whereas since the passing of the said by-law, a company has been created by Letters Patent under the Great Seal of Ontario bearing date the 7th day of February, 1901, also called the Welland-Vale Manufacturing Company (Limited) (hereinafter called the new company) having extended powers and a larger capital stock, for the purpose among others and with the object of taking over the property and assets of the company and continuing and enlarging the manufacturing business heretofore and now carried on by the company at the city of St. Catharines.

And whereas the new company has not yet been organized for the commencement of business pursuant to Section 16 of *The Companies Act*.

And whereas it is desirable and expedient that the benefits and advantages granted to the company by the said by-law number 1304 should accrue to the new company and that the company should be authorized and empowered to grant and assign to the new company and that the new company should be authorized to acquire and enjoy all the benefits and advantages by the said by-law granted to or conferred upon the company, subject to all the terms, conditions, provisions and stipulations made and contained in the said by-law and in a certain agreement there-



in referred to, executed by and between the corporation and the company bearing date the 25th day of June, 1900.

And whereas at the time of the passing of said by-law number 1304 and the execution of said agreement the company was engaged in the manufacture of saws at a site on the southerly side of St. Paul Street in the city of St. Catharines and the buildings used by the company for said purpose have since been destroyed by fire

And whereas the new company intends to continue the manufacture of saws with its other business on its site and premises near Lock Number 2 on the Old Welland Canal and it is desirable to make it plain and clear that under the terms and provisions of the said by-law and agreement the company were not to be prevented or restrained and that the new company shall not be prevented or restrained from the manufacture of saws in the city of St. Catharines.

Therefore the council of the corporation of the city of St. Catharines enacts as follows :

1. That the company is hereby authorized to grant and assign to the new company so soon as the new company shall be organized for the commencement of business under the provisions of the Ontario Companies' Act and the new company is hereby authorized to take over and enjoy all the benefits, advantages and exemptions granted to or conferred upon the company by said by-law number 1304 of this corporation passed on the 20th day of August, 1900, subject to all the terms, conditions, provisos and stipulations made and contained in said by-law and in a certain agreement referred to in said by-law and relating thereto executed by and between the corporation and the company bearing date the 25th day of June, 1900.

Provided that the new company shall complete its organization for the commencement of business within one month after the prorogation of the present session of the Legislative Assembly of Ontario, and that the said grant and assignment by the company to the new company shall be made and effected within one week after such organization.

And further provided that the new company shall contemporaneously with the said grant and assignment to it by the company enter into an agreement under its corporate seal with the corporation to perform, observe and abide by all the terms, conditions, provisos and stipulations of the said by-law number 1304 and of the said agreement referred to therein and relating thereto bearing date the 25th day of June, 1900.

2. That it was not intended in and by the said agreement of the date of the 25th day of June, 1900, to prevent or restrict the company from the manufacture of saws in the city of St. Catharines and that so far as this corporation is concerned the said agreement shall not be held to intend or mean that the new company shall be prevented or restricted in the manufacture of saws in the city of St. Catharines provided only that if the new company shall engage in the manufacture of saws at or in connection with the present site or business of the company near Lock 2 on the Old Welland Canal, the amounts paid by the new company in wages to its operatives and workmen in connection with that department of its business shall be kept separate and distinct and shall not be considered as forming any part of the amount required under the terms of said agreement to be paid for wages to its employees and workmen.

3. The mayor is hereby empowered on behalf of this corporation to execute and deliver an agreement bearing date the 28th day of February, 1901, by and between the corporation and the company for the purpose of carrying into effect the objects and purposes of this by-law.

4. That neither this by-law nor the agreement referred to in the preceding paragraph hereof shall have any force or effect until confirmed and validated by Act of the Legislative Assembly of the Province of Ontario.

Passed this 28th day of February, 1901.

(Signed) J. B. McINTYRE,

(Signed) Jno. S. McCLELLAND,

Mayor.

City Clerk.

[Seal]

Corporation of St. Catharines, Ont.

## SCHEDULE B.

This agreement made the twenty-eighth (28) day of February, one thousand nine hundred and one, between the Corporation of the City of St. Catharines hereinafter called the "Corporation," of the first part, and The Welland Vale Manufacturing Company, Limited, hereinafter called the "Company," of the second part.

Whereas the corporation on the 20th day of August, 1900, duly passed a By-law entitled "A By-law to aid by way of bonus The Welland-Vale Manufacturing Company, Limited";

And whereas the corporation and company duly entered into an agreement bearing date the 25th day of June, 1900, in connection therewith;

And whereas since the passing of said by-law and execution of said agreement a new company has been incorporated under the name of "The Welland Vale Manufacturing Company, Limited," pursuant to the provisions of *The Ontario Companies Act*, with power to acquire and take over the assets, rights and privileges of the company and to assume the obligations and liabilities thereof;

And whereas doubts have arisen as to whether the company can legally transfer to the new company the rights and privileges granted to the company by said by-law and agreement;

And whereas since the passing of the said by-law and agreement the saw manufacturing premises owned and operated by the company prior to the passing thereof in the rear of St. Paul Street in the city of St. Catharines have been destroyed by fire;

And whereas the company desires to consolidate the said businesses on the premises of the company near Lock 2, Old Welland Canal, and it is desirable to make it plain and clear that under the terms and provisions of the said by-law and agreement the company was not to be restricted in the right to continue the manufacture of saws and to consolidate their business on the said premises near Lock 2; if they so desired;

And whereas the corporation has by by-law No. 1421 passed on the 28th day of February, 1901, authorized the execution of this agreement;

Now this agreement witnesseth that in consideration of the premises and of the sum of one dollar paid by the company to the corporation (the receipt whereof is hereby acknowledged) the corporation agrees with the company that the latter may, if it so desires, assign, transfer and set over unto the new company all the benefits, exemptions, privileges and advantages possessed by, and all sums of money due or to become due to the company under the said by-law and agreement or under this agreement;

Provided however that the said new company shall contemporaneously with the assignment to it, enter into an agreement under seal with the corporation agreeing to observe and abide by all the conditions and stipulations in the said by-law and agreement and in this agreement contained and to be bound by the same in as full and ample a manner as the said company is bound;

And the said corporation hereby declares that it was not intended in and by the said agreement of the 25th day of June, 1900, to prevent or restrict the company from the manufacture of saws in the city of St. Catharines and that so far as the corporation is concerned the said agreement shall not be held to intend or mean that the new company shall be prevented or restricted in the manufacture of saws in the city of St. Catharines;

Provided however and the company hereby agrees with the corporation that in the event of the company engaging in the manufacture of saws at or in connection with the present site or business of the company near Lock No. 2 Old Welland Canal, the wages paid to men employed solely in connection with the said saw business shall not be considered as forming any part of the amount required to be expended by the company under the terms of the said agreement and by-law, and the company

undertakes and agrees to keep a separate and distinct account in its books of the wages expended in connection with the said saw *manufacturing* business.

Provided further that this agreement shall have no force or effect until it or the by-law authorizing its execution is confirmed by Act of the Legislative Assembly of the Province of Ontario.

In witness whereof this agreement has been executed.

Signed, sealed and delivered in the presence of,

“GEORGE A ALLAN. (Signed) GEO. A. ALLAN.  
(Signed) J. B. McINTYRE, Mayor.

[Seal] Corporation of St. Catharines.

(Signed) WM CHAPLIN, President,  
Welland Vale Manf. Co., Limited.

[Seal] Welland Vale Manufacturing Company, St. Catharines.





No. 103.

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4th Session, 9th Legislature,  
1 Edward VII., 1901.

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BILL.

An Act respecting The Welland Vale Manufacturing Company, Limited.

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First Reading, 12th March, 1901.

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*(Reprinted as uncodified in Committee of  
Wade)*

MR. JESSOP.

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TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

An Act respecting the Metropolitan Railway Company.

WHEREAS the Metropolitan Railway Company hereinafter Preamble.  
 called "the Company" has, under the various Acts incor-  
 porating and relating to the company, constructed and is  
 now operating in the City of Toronto and adjoining munici-  
 palities certain portions of the lines of railway by the said  
 5 Acts authorized; and whereas the company by its petition  
 has in effect prayed that it may be enacted as hereinafter set  
 forth; and whereas it is expedient to grant the prayer of the  
 said petition:

10 Therefore His Majesty, by and with the advice and consent  
 of the Legislative Assembly of the Province of Ontario, enacts  
 as follows:—

1. The company shall have the power and right to connect, Uniting  
 join and unite its tracks with the lines of track on the streets tracks with  
 15 of Toronto now or hereafter operated by the Toronto Railway those of  
 Company or any company, corporation or persons operating Toronto Rail-  
 such lines of track, and to run and operate its cars over such way Co.  
 lines to and from any point thereon in order to convey passen-  
 ger and freight traffic from the company's line to and from  
 25 any point in the City of Toronto, and for such purposes to use  
 the electricity or other motive power used in operating the  
 lines of track on the streets of Toronto.

2. The terms upon which and the extent to which the Terms upon  
 powers and rights conferred by section 1 hereof are to be which connec-  
 25 exercised shall be such as the company and the municipal tion may be  
 council of the City of Toronto and the Toronto Railway made.  
 Company or other company, corporation or persons operating  
 such lines of track on the streets of Toronto may from time  
 to time agree upon and in default of agreement as may be  
 30 from time to time determined by the Lieutenant-Governor in  
 Council.

3. The company and the Toronto Railway Company or and Agreements as  
 company, corporation or person operating such lines of track to traffic, etc.  
 35 on the streets of Toronto may agree to interchange passenger  
 and freight traffic and for such purposes each party may receive  
 and run and operate on its lines the cars of the other party.

- 4.** The company may connect, join and unite its tracks at or near the southern terminus of its line of railway with the tracks of the Canadian Pacific Railway Company lying immediately south of the said terminus. 5
- 5.** The company may lay its tracks to connect its present line of railway with any station grounds acquired by the company within that part of the City of Toronto which is north of the north line of Grimsby street and the production thereof westerly. 5
- 6.** The company may construct all such works, turnouts, switches and signals as may be necessary for the making and operating of any such connections. 10
- 7.** The company in operating freight cars upon any highway shall be subject to all such regulations as may be imposed by the Lieutenant-Governor in Council. 15
- 8.** The company shall operate by electricity only the part of its line of railway on Yonge Street unless the corporation within the limits of which said line is operated on the said street, consents to the use of other motive power.
- 9.** The company may purchase, lease and operate the railway of the Schomberg and Aurora Railway Company. 20
- 10.** The several corporations owning the properties which the company is empowered to purchase, acquire or lease under the Act relating to the company passed in the 63rd year of Her late Majesty's reign, chaptered 116, and under this Act may severally enter into agreements with the company for conveying or leasing to the company the several railways, rights, powers, surveys, plans, works, plant, material, machinery, franchises and other property to the said corporation severally belonging on such terms and to be paid for in stock, bonds or such other manner as agreed upon, and subject to such restrictions as to the directors seem fit; provided that each such agreement has been first approved by resolution at an annual general meeting or a special general meeting called for the purpose of the shareholders of the company and of the corporation entering into such agreement respectively. 35
- 11.** No such agreement shall prejudice or affect the rights of creditors or persons having claims against or contracts with any of the said companies, and every such agreement shall be subject to the rights, positions and powers of any municipal corporation under any statute, by-law, agreement or otherwise all which rights, positions and powers may be exercised and enforced as against and with respect to the company and the undertakings, rights, franchises, powers, lines, assets and properties so acquired by it in the same manner and to the same 45

Connection  
with C. P. Ry.

Connecting  
line with  
station  
grounds.

Turnouts,  
switches,  
signals, etc.

Regulating  
the operation  
of freight cars.

Use of  
electricity.

Acquiring  
Schomberg  
and Aurora  
Ry.

Agreements  
as to acquiring  
the property  
of other c om-  
panies.

Rights of  
creditors, etc.,  
preserved.



extent and as fully as the same could or might be exercised and enforced as against and with respect to the company entering into such agreement and its undertakings, rights, franchises, powers, lines, assets and properties.

- 5 **12.** No agreement made under the authority of this Act shall be acted upon unless and until it is approved of by votes of shareholders of the respective parties thereto holding at least two-thirds of the shares represented in person or by proxy at special meetings of shareholders of the respective parties called for considering such agreement, but upon such approval being given said agreement shall be valid and binding according to its terms, and may be acted upon and carried out.
- 10

No. 104.

4th Session, 9th Legislature,  
1 Edward VII, 1901.

BILL  
An Act respecting the Metropolitan  
Railway Company.

First Reading,      March, 1901.

(Private Bill.)

Mr. BARBER.

TORONTO:

PRINTED BY L. K. CAMERON,  
Printer to the King's Most Excellent Majesty.

An Act respecting the Metropolitan Railway Company.

**W**HEREAS the Metropolitan Railway Company hereinafter Preamble.  
 called "the Company" has, under the various Acts incorporating and relating to the company, constructed and is now operating in the City of Toronto and adjoining municipalities certain portions of the lines of railway by the said Acts authorized; and whereas the company by its petition has in effect prayed that it may be enacted as hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition:

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. The company shall have the power and right to connect, join and unite its tracks with the lines of track on the streets of Toronto now or hereafter operated by the Toronto Railway Company or any company, corporation or persons operating such lines of track, and to run and operate its cars over such lines to and from any point thereon in order to convey passenger and freight traffic from the company's line to and from any point in the City of Toronto, and for such purposes to use the electricity used in operating the lines of track on the streets of the City of Toronto. Uniting tracks with those of Toronto Railway Co.

2. The terms upon which and the extent to which the powers and rights conferred by section 1 hereof are to be exercised ~~until~~ until the agreement governing the Toronto Railway, and set forth in the schedule appended to 55 Victoria, chapter 99, shall expire ~~shall be such as the company and the municipal council of the City of Toronto and the Toronto Railway Company or other company, corporation or persons operating such lines of track on the streets of Toronto may agree upon and in default of agreement as may be from time to time determined by the Lieutenant-Governor in Council.~~ Terms upon which connection may be made.

3. The rights conferred by the first section of this Act shall cease at the same time as the rights of the Toronto Railway Company under the said agreement; provided that the City of Toronto shall have the authority by by-law to declare Agreements as to traffic, etc.

that the said rights shall be extended for a further period of twenty years, upon terms to be determined upon by agreement between the City and the said Company. <sup>33</sup>

Terms which may be imposed in connection with Toronto Ry.

<sup>34</sup> 4. The terms and conditions so determined by the Lieutenant-Governor in Council shall be as nearly as may be similar to those imposed upon the construction and operation of the railways of the Toronto Railway Company under the agreements between the said company and the corporation of the City of Toronto and the Acts relating to the said company. <sup>35</sup>

Freight cars.

<sup>36</sup> 5. No freight shall be carried or freight cars run or operated by the Metropolitan Railway Company south of its present terminus in the City of Toronto except with the consent of the council of the said city and under and subject to such terms and conditions as may be agreed upon between the said council and the said companies. <sup>37</sup>

Alterations in gauge.

<sup>38</sup> 6. Such alterations as may be necessary owing to the difference between the gauge of the Metropolitan Railway and that of the Toronto Railway may be made in the tracks of the last-mentioned railway in order to allow of the cars of the Metropolitan Railway Company being run to the said markets and water front, but the streets upon which such alterations shall be made shall be designated by the engineer of the City of Toronto, and the same shall be so made under and subject to his supervision and approval, and at the cost of the said Metropolitan Railway Company and the Toronto Railway Company in such proportion as may be agreed upon between the said companies. <sup>39</sup>

Corporations authorized to do all necessary acts.

<sup>40</sup> 7. The said Corporation of the City of Toronto, the Metropolitan Street Railway Company and the Toronto Railway Company are authorized and empowered to do all acts, to execute all contracts, and to perform all duties and obligations necessary to carry out any agreement or order made under this Act according to the true intent and meaning thereof. <sup>41</sup>

Agreement of City with Toronto Ry. Co. not affected.

<sup>42</sup> 8. Save as hereinbefore provided nothing in this Act shall be taken or deemed to affect the agreements at present in force relating to the construction and operation of the railways of The Toronto Railway Company or any Act or by-law relating to the said company. <sup>43</sup>

Act not to authorize connection with C. P. Ry. Co.

<sup>44</sup> 9. Nothing in this Act contained shall be taken or deemed to authorize the Metropolitan Railway Company to connect its tracks with the tracks of the Canadian Pacific Railway Company or to make running arrangements with said last-mentioned company within the limits of the City of Toronto. <sup>45</sup>

**10.** The company may lay its tracks to connect its present line of railway with any station grounds acquired by the company in the City of Toronto, north of the north line of Grimsby street in the City of Toronto and the production thereof westerly. Connecting line with station grounds.

**11.** The company may construct all such works, turnouts, switches and signals as may be necessary for the making and operating of any connections<sup>427</sup> authorized by or under the provisions of this Act.<sup>428</sup> Turnouts, switches, signals, etc.

**12.** The company shall operate the part of its line of railway on Yonge Street by electricity only unless the corporation within the limits of which said line is operated on the said street, consents to the use of other motive power. Use of electricity.

**13.** The company may purchase, lease and operate the railway of the Schomberg and Aurora Railway Company Acquiring Schomberg and Aurora Ry.

**14.** The several corporations owning the properties which the company is empowered to purchase, acquire or lease under the Act relating to the company passed in the 63rd year of Her late Majesty's reign, chaptered 116, and under this Act may severally enter into agreements with the company for conveying or leasing to the company the several railways, rights, powers, surveys, plans, works, plant, material, machinery, franchises and other property to the said corporation severally belonging on such terms and to be paid for in stock, bonds or such other manner as agreed upon, and subject to such restrictions as to the directors seem fit: provided that each such agreement has been first approved by resolution at an annual general meeting or a special general meeting called for the purpose of the shareholders of the company and of the corporation entering into such agreement respectively. Agreements as to acquiring the property of other companies.

**15.** No such agreement shall prejudice or affect the rights of creditors or persons having claims against or contracts with any of the said companies, and every such agreement shall be subject to the rights, positions and powers of any municipal corporation under any statute, by-law, agreement or otherwise all which rights, positions and powers may be exercised and enforced as against and with respect to the company and the undertakings, rights, franchises, powers, lines, assets and properties so acquired by it in the same manner and to the same extent and as fully as the same could or might be exercised and enforced as against and with respect to the company entering into such agreement and its undertakings, rights, franchises, powers, lines, assets and properties.<sup>429</sup> Rights of creditors, etc. preserved.

<sup>427</sup>**16.** No agreement made under the authority of sections 14 and 15 of this Act shall be acted upon unless and until it is approved of by votes of shareholders of the respective parties 323. Approval of agreement by shareholders.

thereto holding at least two-thirds of the shares represented in person or by proxy at special meetings of shareholders of the respective parties called for considering such agreement, but upon such approval being given said agreement shall be valid and binding according to its terms, and may be acted upon and carried out.<sup>23\*</sup>



No. 104.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

An Act respecting the Metropolitan  
Railway Company.

First Reading,      March, 1901.

*(Reprinted for Railway Committee with  
suggested amendments.)*

MR. BARBER.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.



An Act respecting the Metropolitan Railway  
Company.

**W**HEREAS The Metropolitan Railway Company, hereinafter called "The Company," by its petition has in effect prayed that it may be enacted as hereinafter set forth:

And whereas it is expedient to grant the prayer of the said petition:

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** Subject to the provisions hereinafter contained the company and the Toronto Railway Company shall have the power and right to connect, join and unite the tracks of the said companies on the streets of the City of Toronto as such tracks are now or may hereafter be operated by the Toronto Railway Company or its assigns, and the Toronto Railway Company or such other company, corporations or persons, shall run and operate the company's cars over such tracks to and from the St. Lawrence Market and the water front within the said city, and to and from such other points as may be designated from time to time by the Engineer of the City of Toronto, in order to convey passengers and freight traffic from the company's line to and from such points in the City of Toronto, and for such purposes the lines of track on the streets of the City of Toronto and the electricity used in operating the same may be used.

Connection with Toronto Railway.

**2.** The terms upon which and the extent to which the powers and rights conferred by the first section of this Act are to be exercised until the agreement now in force regarding the Toronto Railway expires, shall be such as the company, the City of Toronto, and the Toronto Railway Company may agree upon.

Terms of connection how determined.

**3.** The rights conferred by the first section of this Act shall cease at the same time as the rights of the Toronto Railway Company under the Statute and agreement now in force regarding the same. The city of Toronto shall have the power by by-law to grant a further extension of the rights hereby given for a further period of twenty years on such terms as

Rights to cease with Toronto Ry. Co.'s franchise.

Ren. wd.

may be agreed upon between the city and the company, provided that such by-law shall not be finally passed until it has been voted upon and carried by a majority of the ratepayers voting thereon and who are entitled to vote for mayor and alderman, but no such ratepayer shall be entitled to vote more than once thereon.

All proceedings, regulations and penalties provided by *The Municipal Act* and amendments thereto for the conduct of municipal elections and for voting upon by-laws shall apply so far as may be, *mutatis mutandis*, to the taking of the vote upon such by-law.

Freight traffic.

4. No freight cars of the company shall be run or operated south of the present terminus of the company's line of railway in the City of Toronto, upon any of the streets of the said city except with the consent of the said city, and under and subject to such terms and conditions and along such routes as may be agreed upon between the said city, the company, and any company corporation or persons operating such lines of track.

Changes in gauge of Toronto lines.

5. Such alterations as may be necessary owing to the difference between the gauge of the company's railway and that of the Toronto Railway may be made in the tracks on the streets of Toronto in order to allow of the cars of the company being run as aforesaid, but the streets upon which the cars of the company may be operated and any streets upon which such alterations shall be made shall be designated by the engineer of the City of Toronto, and the operation of such cars and all such alterations shall be under and subject to the supervision and approval of the said engineer and all such alterations shall be made at the cost of the company, and the Toronto Railway Company, in such proportion as may be agreed upon between the said companies.

Station grounds.

6. The company may lay its tracks and connect its line of railway with any station grounds acquired by the company north of the north line of what was formerly Grimsby Street in the City of Toronto and the production thereof westerly. Such station grounds shall not be located south of the tracks of the Canadian Pacific Railway Company without the consent of the City of Toronto first had and obtained and after the said station grounds have been acquired all freight hauled upon the company's trains shall be handled, loaded and unloaded in the said station grounds unless the engineer of the City of Toronto otherwise directs.

Motive power.

7. Electricity shall be the motive power used by the company on Yonge Street and within the present or future limits of the City of Toronto.

Works necessary for connection.

8. The Company may construct and maintain and operate all such works, routes, turnouts, switches and signals as may

be necessary for the making and operating of any such connections, but the location of all new tracks and works, turnouts, switches and signals, and of the work and construction in connection therewith shall be subject to the direction and supervision and shall be done to the satisfaction of the Engineer of the municipality having jurisdiction over the same.

9. The City of Toronto, the Company, and the Toronto Railway Company are authorized and empowered to do all acts, execute all contracts, construct all works and perform all duties and obligations necessary to carry out any agreement or order made under this Act, according to the true intent and meaning thereof.

City and County authorized to do all necessary acts, etc.

10. Save as herein provided, this Act or the exercise of any of the powers conferred thereby or any consent given by the City of Toronto under section 8 of this Act shall not affect the agreements relating to the railways of the company, or of the Toronto Railway Company, or any Act or by-laws relating to the said companies.

Agreement with Toronto Ry. Co. not affected.

11. Save as herein provided nothing in this Act contained shall be taken or deemed to authorize the company to connect its tracks with the tracks of any railway company other than railways operated by electricity within the limits of the City of Toronto.

No connection with steam railways.

12. Save as herein provided nothing in this Act or in any agreement to be made hereunder shall affect or interfere with the rights of the company or the County of York in respect of the said railway, north of the present limits of the City of Toronto.

Act not to affect rights outside the City of Toronto.

13. The company may purchase, lease and operate the railway of the Schomberg and Aurora Railway Company.

Power to acquire Schomberg and Aurora railway.

In case the said company increases the service now being given upon the highway known as Yonge Street outside of the City of Toronto, the character of the cars to be used, the speed at which the said cars should be run, and generally all such regulations as may be necessary for the protection of life and property upon the said highway in the proper and lawful user thereof by the public, shall be subject to the approval and determination of the Lieutenant Governor-in-Council of the Province.

14. The several corporations owing the properties which the company is empowered to purchase, acquire or lease under the Act relating to the company passed in the 63rd year of the reign of Her late Majesty Queen Victoria, chapter 116, and under this Act may severally enter into agreements with the company for conveying or leasing to the company the several railways, rights, powers, surveys, plans, works, plant, material, ma-

Rights of creditors, etc. preserved.

chinery, franchises and other property to the said corporation severally belonging on such terms and to be paid for in stock, bonds or such other manner as agreed upon and subject to such restrictions as to the directors seem fit; provided that each such agreement has been first approved by resolution at an annual general meeting, or a special general meeting called for the purpose, of the shareholders of the company and of the corporation entering into such agreement respectively.

Agreements  
as to acquiring  
the property  
of other  
companies.

**15.** No such agreement shall prejudice or effect the rights of creditors or persons having claims against or contracts with any of the said companies, and every such agreement shall be subject to the rights, positions and powers of any municipal corporation under any statute, by-law, agreement or otherwise all which rights, positions and powers may be exercised and enforced as against and with respect to the company and the undertakings, rights, franchises, powers, lines assets and properties so acquired by it in the same manner and to the same extent and as fully as the same could or might be exercised and enforced as against and with respect to the company entering into such agreement and its undertakings, rights, franchises, powers, lines, assets and properties.

Approval of  
agreement by  
shareholders

**16.** No agreement made under authority of sections 14 and 15 of this Act shall be acted upon unless and until it is approved of by votes of shareholders of the respective parties thereto holding at least a majority of the shares represented in person or by proxy at special meetings of shareholders of the respective parties called for considering such agreement, but upon such approval being given said agreement shall be valid and binding according to its terms, and may be acted upon and carried out.



No. 104.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

An Act respecting the Metropolitan  
Railway Company.

First Reading, 1901.

*(Reprinted as amended by Railway  
Committee.)*

Mr. BARBER.

TORONTO:

PRINTED BY L. K. CAMERON,  
Printer to the King's Most Excellent Majesty.

## An Act respecting the Town of Midland.

WHEREAS the Corporation of the Town of Midland has by supplementary petition represented that they contemplate the construction of a system of water-works and sewerage, or either of them in the town of Midland, and they desire to issue debentures for the payment of the same and they wish to have power and authority to extend the payment of said debentures over a period of forty years :

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts  
10 as follows :

1. It shall be lawful for the Corporation of the Town of Midland at any time within ten years from the passing of this Act to pass a by-law or by-laws for the issue of debentures to such an amount as may be requisite for the purposes  
15 of constructing waterworks or sewerage, or either of them, in the said town of Midland and the payment of the said debentures may, at the option of the council, be extended over a period of forty years, and may be issued in one sum or in such several sums as may be provided for in the said by-law or by-  
20 laws, notwithstanding any provisions of *The Municipal Act* to the contrary.

Power to issue debentures for forty years for water-works and sewers.

Rev. Stat. c. 223.

2. No by-law or by-laws shall be passed under the preceding section until the same shall have received the assent  
25 of a majority of the electors of the said town who are entitled to vote in the case of by-laws for the creation of debts, in the manner required by *The Municipal Act* and amendments thereto, and save as otherwise provided by this Act all the clauses of *The Municipal Act* relating to by-laws for the  
30 creation of debts shall be read as applying to any debentures issued under the preceding section. No irregularity in the form of such debentures, or any of them, or any by-law authorizing the issue thereof, shall render the same invalid or illegal, or be allowed as a defence to any action brought  
35 against the corporation for the recovery of the amount of the said debentures, or interest, or any or either of them, or any part thereof, and a purchaser shall not be bound to inquire as to the issue of such debentures, or the application of the proceeds thereof.

Assent of electors.

No. 105.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL  
An Act respecting the Town of Midland.

First Reading, 1901.

(Private Bill).

Mr. CONNELL.

TORONTO,

PRINTED BY L. K. CARBON,  
Printer to the King's Most Excellent Majesty.



To authorize the Council of the City of St. Thomas to pass a By-law for the issue of Debentures to pay the cost of rebuilding Wilson's Bridge.

**W**HEREAS the Municipal Council of the City of St. Thomas has by petition represented that the wooden bridge, commonly called Wilson's Bridge, which is constructed on Elgin street, over Mill Creek, within the limits of the said city, has been condemned by the city engineer, and that it is desirable and necessary in the public interest and for the public safety, as well as for the purpose of carrying the track of The St. Thomas Street Railway Company, that the said bridge should be rebuilt with iron or steel superstructure on cement or stone foundations, and rebuilt without delay; and whereas the cost of the said bridge will be about \$20,000 according to the estimate of the city engineer; and whereas by section 388 (a) of *The Municipal Act*, it is provided that the council of a city may by by-law passed at any meeting of the council, without submitting the same for the assent of the electors, raise such sum or sums of money as may be required, to pay the cost of rebuilding any existing bridge within the municipality, but not exceeding the sum of \$10,000 in any year; and whereas the Municipal Council of the City of St. Thomas has prayed that an act may be passed authorizing the said council to pass a by-law for the issue of debentures for the purpose of raising such sum of money, not exceeding \$20,000, as may be required to pay the cost of rebuilding the said Wilson's Bridge, without submitting the same for the assent of the electors; and whereas it is expedient to grant the prayer of the said petition.

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

30 1. It shall and may be lawful for the Municipal Council of the City of St. Thomas to pass a by-law authorizing the issue of debentures of the said city for such sum not exceeding \$20,000 as may be required to pay the cost of rebuilding the said Wilson's Bridge with iron or steel superstructure on cement or stone foundations, and abutments, such debentures to be payable within twenty years from the date of the issue thereof, and such debentures shall be issued under the cor-  
 35 Debentures for \$20,000 authorized.

porate seal of the City of St. Thomas, and shall be signed by the mayor and treasurer thereof.

**Power to raise money on debentures.** 2. The said Corporation of the City of St. Thomas may raise by way of loan, from any person or persons, body or bodies corporate, who may be willing to advance the same upon the security of the said debentures, a sum of money not exceeding \$20,000 of lawful money of Canada. 5

**Debt to be payable in annual instalments.** 3. The said debentures shall be payable in annual instalments within twenty years from the date of the issue thereof, such instalments to be of such amounts that the aggregate amount payable for principal and interest in any year shall be equal as nearly as may be, to what is payable for principal and interest during each of the other years, of such period of twenty years. 10

**Interest on debentures.** 4. The said debentures shall bear interest at a rate not exceeding four per cent. per annum, from the date of the issue thereof, which interest shall be payable yearly at the office of the city treasurer in the City of St. Thomas, and the said debentures shall have coupons attached thereto for the interest and such coupons shall be signed by the city treasurer. 15 20

**Special rate for payment of debentures and interest.** 5. For payment of the said debentures and interest, the municipal council of the City of St. Thomas shall impose on all the rateable property in the said city a special annual rate (over and above and in addition to all other rates and taxes) during the said period of twenty years, which special rate shall be sufficient to produce in each year the sum required to be raised for payment of the annual instalment of principal and interest falling due on the said debentures. 25

**Application of proceeds of debentures.** 6. The monies derived from the sale of the said debentures shall be applied by the said council in the payment of the cost of rebuilding the said Wilson's Bridge, and for no other purpose whatever. 30

**Assent of electors not required.** 7. It shall not be necessary to obtain the assent of the electors of the said city to the passing of the said by-law under this Act or to observe the formalities in relation thereto prescribed by *The Municipal Act*. 35

**Rev. Stat. c. 223.** 8. The said debentures may be in the Form "A" in the Schedule to this Act, or as near thereto as the council may find convenient.

**Form of debentures.** 9. No irregularity in the form of the said debentures, or of the by-law authorizing the issuing thereof, shall render the same invalid or illegal. 40

**Informalities not to invalidate.**

## SCHEDULE.

FORM "A."

No.           , Wilson Bridge Debenture, Province of Ontario, City of St. Thomas.

Under and by virtue of the Act passed in the first year of the reign of His Majesty King Edward the Seventh, and chaptered       and by virtue of By-law No.       of the Corporation of the City of St. Thomas, passed under the powers contained in the said Act.

The Corporation of the City of St. Thomas promise to pay the bearer at the office of the city treasurer in the City of St. Thomas, the sum of       dollars, on the       day of       A.D.       , and the yearly coupons hereto attached as the same shall severally become due.

Dated at St. Thomas, in the Province of Ontario, this       day of       A.D. 1901.

{Seal}

Mayor.  
Treasurer.

No. 106.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

To authorize the council of the City of St.  
Thomas to issue debentures for the cost  
of rebuilding Wilson's Bridge.

First Reading \_\_\_\_\_, 1901.

(Private Bill.)

MR. MACDARMID.

TORONTO :

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

To authorize the Council of the City of St. Thomas to pass a By-law for the issue of Debentures to pay the cost of rebuilding Wilson's Bridge.

**W**HEREAS the Municipal Council of the City of St. Thomas has by petition represented that the wooden bridge commonly called Wilson's Bridge, which is constructed on Elgin street, over Mill Creek, within the limits of the said city, has been condemned by the city engineer, and that it is desirable and necessary in the public interest and for the public safety, as well as for the purpose of carrying the track of The St. Thomas Street Railway Company, that the said bridge should be rebuilt with as little delay as possible with iron or steel superstructure on cement or stone foundations; and whereas the engineer of the said city estimated that the cost of the said bridge would be about \$20,000; and whereas by section 388 (a) of *The Municipal Act*, it is provided that the council of a city may by by-law passed at any meeting of the council, without submitting the same for the assent of the electors, raise such sum or sums of money as may be required, to pay the cost of rebuilding any existing bridge within the municipality, but not exceeding the sum of \$10,000 in any year; and whereas the Municipal Council of the City of St. Thomas has prayed that an act may be passed authorizing the said council to pass a by-law for the issue of debentures for the purpose of raising such sum of money, not exceeding \$20,000, as may be required to pay the cost of rebuilding the said Wilson's Bridge, without submitting the same for the assent of the electors; and whereas it has been represented that since the said petition was presented tenders for the rebuilding of the said bridge have been received, from which it appears that the cost of the said bridge will exceed the said engineer's estimate by about \$7,000; and whereas the said municipal corporation has requested that it may be authorized to issue debentures for the sum of \$27,000 for the said purpose, instead of \$20,000 as prayed in the said petition; and whereas it has been made to appear that notice of the said request has been advertised in the said city in such manner as to bring the same to the knowledge of the rate-payers generally, and whereas there is no opposition whatever to the said request; and whereas it is expedient to grant the prayer of the said petition. Preamble.

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Debentures for \$20,000 authorized.

1. It shall and may be lawful for the Municipal Council of the City of St. Thomas to pass a by-law authorizing the issue of debentures of the said city for such sum not exceeding \$27,000 as may be required to pay the cost of rebuilding the said Wilson's Bridge with iron or steel superstructure on cement or stone foundations, and abutments.

Debentures payable within 20 years.

2. The said debentures shall be signed by the mayor and treasurer of the said city of St. Thomas and sealed with the corporate seal of the said city and shall be payable within *twenty* years after the date thereof.

Power to raise money on debentures.

3. The said corporation may raise by way of loan, from any person or persons, body or bodies corporate, who may be willing to advance the same upon the security of the said debentures, a sum of money not exceeding \$27,000 of lawful money of Canada.

Debt to be payable in annual instalments.

4. The said debentures shall be payable in annual instalments within twenty years from the date of the issue thereof, such instalments to be of such amounts that the aggregate amount payable for principal and interest in any year shall be equal as nearly as may be, to what is payable for principal and interest during each of the other years, of *the said* period of twenty years.

Interest on debentures.

5. The said debentures shall bear interest at a rate not exceeding four per cent. per annum, from the date of the issue thereof, which interest shall be payable yearly at the office of the city treasurer in the City of St. Thomas, and the said debentures shall have coupons attached thereto for the interest and such coupons shall be signed by the city treasurer.

Special rate for payment of debentures and interest.

6. For payment of the said debentures and interest, the municipal council of the City of St. Thomas shall impose on all the rateable property in the said city a special annual rate (over and above and in addition to all other rates and taxes) during the said period of twenty years, which special rate shall be sufficient to produce in each year the sum required to be raised for payment of the annual instalment of principal and interest falling due on the said debentures.

Application of proceeds of debentures.

7. The monies derived from the sale of the said debentures shall be applied by the said council in the payment of the cost of rebuilding the said Wilson's Bridge, and for no other purpose whatever.

8. It shall not be necessary to obtain the assent of the electors of the said city to the passing of the said by-law under this Act or to observe the formalities in relation thereto prescribed by *The Municipal Act*.

Assent of  
electors not  
required.  
Rev. Stat.  
c. 225.

9. No irregularity in the form of the said debentures, or of the by-law authorizing the issuing thereof, shall render the same invalid or illegal.

Informalities  
not to invalid  
ate.

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4th Session, 9th Legislature,  
1 Edward VII., 1901.

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To authorize the council of the City of St.  
Thomas to issue debentures for the cost  
of rebuilding Wilson's Bridge.

First Reading, 14th March, 1901.

*(Reprinted as amended by Private Bills  
Committee)*

MR. MACDONALD.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.



## An Act respecting the Town of Wallaceburg.

**W**HEREAS the corporation of the town of Wallaceburg Preamble  
 has by its petition prayed for leave to aid in the construction of a sugar beet manufactory in the said town to the extent of \$30,000 by way of bonus or by taking stock in a  
 5 joint stock company to be organized and incorporated for the said purpose and also by way of remission of taxes upon such beet sugar manufactory and the necessary lands, machinery and plant therefore upon such terms as to the municipal council of the said corporation may seem advisable; and whereas  
 10 no opposition has been offered to the said petition; and whereas it is expedient to grant the prayer of the said petition,

Therefore His Majesty, by and with the advice and consent of the legislative Assembly of the province of Ontario, enacts as follows:

- 15 **1.** It shall be lawful for the corporation of the town of Wallaceburg to pass by-law or by-laws for the purpose of raising by way of loan on the credit of the debentures of the said corporation a sum not exceeding in the whole \$30,000, at  
 20 a rate of interest not exceeding five per cent. per annum from any person or persons, body or bodies corporate who may be willing to advance the same for the purpose of aiding in the construction and establishment of a beet sugar manufactory in the said town which said aid may be granted and applied by  
 25 way of loan or of bonus or by subscribing and paying for capital stock in a joint stock company organized for the purpose of acquiring a site for and erecting and constructing such beet sugar manufactory to such amount, not exceeding the said sum of \$30,000, and upon such terms and conditions as  
 30 may seem advisable to the municipal council of the said corporation but such by-law or by-laws shall before being finally passed be submitted to the votes of the electors of such municipality entitled to vote upon by-laws creating debts not payable within a year from the creation thereof, and shall be approved  
 35 by the votes of two-thirds of the rate-payers who are entitled to vote on the by-law unless the number of rate-payers voting against such by-law does not exceed one-fifth of the total number entitled to vote when the assent of three-fifths only of all the rate-payers shall be necessary and in addition to the  
 40 certificate required by section 364 of *The Municipal Act* the clerk in case of a majority of the votes being in favor of the
- Power to raise \$30,000 on debentures to aid beet sugar manufactory.

by-law shall further certify whether or not as far as shown by the voters' list and assessment roll such majority appears to be two-thirds of all the rate-payers who are entitled to vote on the by-law and if such majority appears to be less than two-thirds of such rate-payers, the clerk shall further certify 5 whether or not such majority appears to be three-fifths of all such rate-payers and whether or not the number voting against such by-law appears to be more than one-fifth of the rate-payers entitled to vote, and the provisions as to the procedure contained in *The Municipal Act* and the amendments thereto, 10 respecting by-laws creating debts save clause F. of sub-section 12 of section 591 of the said act shall apply to such by-law or by-laws passed or to be passed under the authority of this act as if expressly incorporated herewith.

Powers to fix  
assessment of  
manufactory  
for ten years  
at \$20,000.

2. The said municipal council of the said corporation may 15 also from time to time in addition to the said financial aid by by-law or by-laws passed from time to time with the assent of the like proportions of the electors entitled to vote upon by-laws creating debts not payable within a year of the crea- 20 tion thereof as may be required to carry such bonus by law or by laws fix the assessment of such plant buildings, lands, machinery and appurtenances used or to be used in connection with the said beet sugar manufactory at a sum of not less than \$20,000 and that such assessment shall remain as a fixed 25 assessment for a period of ten years from the time such beet sugar manufactory commences the manufacture of sugar.



No. 107

4th Session, 9th Legislature,  
1 Edward VII, 1901.

BILL.

An Act respecting the Town of  
Wallaceburg.

First Reading \_\_\_\_\_, 1901.

(Private Bill)

Mr. PARDO.

TORONTO:

PRINTED BY L. K. CAMERON.

Printer to the King's Most Excellent Majesty.

## An Act respecting the Town of Wallaceburg.

**W**HEREAS the corporation of the town of Wallaceburg Preamble  
 has by its petition prayed for leave to aid in the construction of a sugar beet manufactory in the said town to the extent of \$30,000 by way of bonus or by taking stock in a company organized and incorporated for the said purpose under the name of The Wallaceburg Sugar Company, Limited, and also by way of remission of taxes upon such beet sugar manufactory and the necessary lands, machinery and plant therefore upon such terms as to the municipal council of the said corporation may seem advisable: and whereas since the presentation of the said petition the by-law set forth in the schedule to this Act has been submitted to the ratepayers of the said town and duly passed by the council of the said town, and of the ratepayers voting on the said by-law 335 voted for the said by-law and only seven voted against the same; and whereas in and by the said by-law provision is made for the construction, erection, equipment and development of a sugar factory for the manufacture of sugar from sugar beets capable of turning out twenty tons of sugar per day, such sugar factory to be of modern design and of substantial character, and to be fully and completely equipped with all necessary machinery for the manufacture of fully refined or standard refined sugar; and whereas it is further provided that the said factory shall be erected and put in operation within eighteen months from the date of the said by-law, and that in the construction, erection, equipment and development of the said works there shall be expended the sum of \$380,000, and that the said company shall carry on operations in connection with the said sugar factory for an average of at least one hundred working days in each year during the term of ten years, accidents and other circumstances beyond their control excepted; and whereas it has been made to appear that the said Town of Wallaceburg is situated in a section of the province exceptionally favorable for the production of sugar beets and with unusual advantages and facilities for bringing same to the factory from the surrounding country: and whereas the amount of the expenditure to be made on the said works and plant and equipment is very large in comparison with the amount of the bonus of \$30,000 authorized by the said by-law and the ratepayers appear to be nearly unanimous in an earnest desire to assist in

manner aforesaid in establishing the said industry; and whereas the requirements of the provisions of *The Municipal Act* have been fully complied with in all respects saving and excepting that the annual levy for principal and interest under the said by-law will with the payment of a similar bonus already granted by the said municipality exceed ten per cent. of the total annual municipal taxation thereof; and whereas the establishment of the beet sugar industry in this province is a matter of general public interest and importance and provision is being made for aiding and encouraging such industry by Provincial subsidy in that behalf; and whereas the circumstances of the case are quite exceptional and no opposition has been offered to the said petition; and whereas it is expedient to confirm the said by-law subject to the terms and conditions hereinafter set forth:

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. By-law No. 71 of the municipal corporation of the Town of Wallaceburg, set forth as schedule "A" to this Act is hereby confirmed and declared legal, valid and binding upon the said municipal corporation and the ratepayers thereof notwithstanding any defect in substance or in form of the said by-law or in the manner of passing the same or otherwise, and the said corporation of the Town of Wallaceburg is hereby authorized and empowered to issue debentures as provided by the said by-law and the said debentures so issued or to be issued under the said by-law are hereby declared legal and binding upon the said municipality and the said corporation is hereby authorized and empowered to do all necessary acts for the full and proper carrying out of the said by-law.

2. Notwithstanding any provisions in the said by-law contained, the said The Wallaceburg Sugar Company, Limited, shall be liable to pay and shall pay to the said corporation of the Town of Wallaceburg taxes annually to an amount of not less than five hundred dollars during the period of ten years from and after payment of the said bonus of \$30,000 to the said company and from and after the expiration of the said period of ten years the said company shall pay annually not less than two thousand five hundred dollars by way of taxes on the property and plant of the said sugar factory.

3. In the event of the said company failing to establish and operate the said factory according to the terms of the said by-law or the agreement to be entered into between the said company and the corporation of the Town of Wallaceburg or in the event of the said company at any time during the said term of ten years discontinuing business or going into liquidation or failing to comply substantially with the terms of the

said by-law and agreement, the said company shall repay to the said corporation the amount of the said bonus of \$30,000 and in any of such events the said amount shall become and is hereby declared to be a first charge in favor of the said corporation upon the property and assets of the said company.

#### SCHEDULE A.

##### By-law No. 71.

A By-law for granting a bonus for the promotion of the establishment of Beet Sugar Manufacturing Works within the limits of the Corporation of the Town of Wallaceburg.

Whereas the said corporation have determined to grant by way of bonus the sum of \$30,000.00 to The Wallaceburg Sugar Company, Limited, hereafter to be incorporated under the Ontario Companies' Act, for the establishment of beet sugar manufacturing works within the limits of the Corporation of the Town of Wallaceburg, for the purpose of manufacturing sugar and similar products from sugar beets.

And whereas for the purpose aforesaid it will be necessary for the corporation of the said town to issue its debentures for, and to create a debt to the amount of \$30,000, as hereinafter mentioned, such debt and the debentures to be issued therefor, to be made payable in twenty years, at the farthest, from the day on which such debentures are issued.

And whereas it will require a certain specific sum of \$2,207.46 to be raised in each year during the said period of twenty years, which annual sum will be sufficient to discharge the several instalments of principal and interest accruing due on the said debt as the said instalments and interest become payable respectively according to the terms of this by-law.

And whereas the amount of the whole rateable property of the municipality of the Town of Wallaceburg, according to the last revised assessment roll was the sum of \$524,680.

And whereas the amount of the existing debenture debt of the said municipality of the Town of Wallaceburg is the sum of \$67,886.88 and no portion of the said principal or interest is in arrear.

And whereas the said The Wallaceburg Sugar Company, Limited, hereinafter called the company shall immediately after this by-law has received the assent of the ratepayers enter into an agreement with the said corporation of the Town of Wallaceburg to the following effect:—The company will cause to be constructed, erected, equipped and developed a sugar factory for the manufacture of sugar from sugar beets, capable of turning out twenty tons of sugar per day, such sugar factory to be of modern design and of substantial character and to be fully and completely equipped with all necessary machinery for the manufacture of fully refined or standard refined sugar, the said factory shall be erected and put in operation within eighteen months from the date hereof, upon the final completion of the said works as hereinafter provided there shall have been expended in the construction, erection, equipment and development thereof the sum of \$380,000.00, the company covenant, promise and agree with the said municipal corporation that they will operate the said sugar factory as follows: That the company will carry on operations in connection with the said sugar factory for an average of at least one hundred working days in each year during the term of ten years hereinafter provided for, accidents and other circumstances beyond their control excepted; that the company will operate the said sugar factory as provided in this section for ten years from the time they receive the

said sum of \$30,000.00 as hereinafter provided, the said bonus shall be payable as follows: \$10,000.00 when all of the plant and materials are on the ground of the site of the said sugar factory, \$10,000.00 when the said factory is erected and completed, and the balance of \$10,000.00 when sugar is manufactured in the quantities as hereinbefore specified to be the minimum capacity of the said factory; the said Municipal Corporation shall agree to place a fixed assessment of \$20,000.00 on the said sugar factory for a period of ten years from and after the payment of the bonus of \$30,000.00, such assessment shall be placed on all the property and plant of the Company used in the manufacture of beet sugar, the said fixed assessment of \$20,000.00 to apply only to the years in which the said Company operate the said factory, during the said period of ten years, and shall not include an assessment on other property acquired by the Company for residential purposes or for any other business purposes; that they will not engage in or be connected with any business as merchants in the County of Kent but will themselves deal and encourage their men to deal with the merchants of the town of Wallaceburg; that the Company will furnish the corporation with at least one hundred tons of cinders for road material if required by the corporation in each and every year during the said term of ten years from and after two years from the date hereof; the intention of the company is to work and operate the factory to the fullest extent the state of trade will permit but to provide against disputes it shall be provided that should the company not fulfill the terms and conditions of the proposed agreement or be unwilling to continue the operation of the said factory as herein provided, they may give the corporation of the town of Wallaceburg one month's notice in writing of such intention, and at the end of such month their obligations under the proposed agreement shall cease and determine, in either of such cases the company shall refund to the said municipal corporation such sum as shall be found to be due, calculated on the following basis (which sum shall be an ascertained and liquidated amount in full of all claims and demands) namely, the sum of three thousand dollars for each and every year which remains of the period of ten years as hereinbefore provided from the time of the breach or giving of such notice, exclusive of the year in which such breach occurs or notice is given:

Be it therefore enacted by the corporation of the town of Wallaceburg, by the municipal council thereof, in council duly convened and assembled and it is hereby enacted:

1. That it shall be lawful for the Mayor of the said town of Wallaceburg to be caused to be raised by way of loan from any person or persons or body or bodies corporate, who may be willing to advance the same upon the credit of the debentures hereinafter mentioned, a sum of money not exceeding in the whole the sum of \$30,000.00, and to cause the same to be paid into the hands of the treasurer of the said town for the purpose hereinbefore set forth.

2. That it shall be lawful for the said Mayor to issue debentures to the extent of \$30,000.00, which said debentures shall be sealed with the corporate seal of the said town and signed by the Mayor and countersigned by the treasurer of the said town.

3. That the said debentures shall be made payable at the office of the Bank of Montreal at the said town of Wallaceburg in each of the years next succeeding the issue of the said debentures, commencing with the year 1902, and one in each year thereafter for the next succeeding nineteen years, and shall have attached thereto coupons for the payment of interest thereon.

4. That the said debentures shall be dated on the day of the issue thereof as is hereinbefore provided and shall bear interest at the rate of four per centum per annum from the date of issue thereof, and such interest shall be payable yearly at the said office of the Bank of Montreal in each of the years next succeeding the issue of the debentures.

5. That the sum of \$2,207.46 required as aforesaid to be raised levied and collected, shall be so raised, levied and collected in each year during the currency of the said debentures by a special rate sufficient therefor on all the rateable property within the municipality of the said town.









4th Session, 9th Legislature,  
1 Edward VII, 1901.

BILL.

An Act respecting the Town of  
Waltham.

First Reading.

1901.

*(Reprinted with suggested Amendments.)*

MR. PARDO,

TORONTO:

PRINTED BY E. K. GARDNER,  
Printer to the King's Most Excellent Majesty.

## An Act respecting the Town of Wallaceburg.

**W**HEREAS the Corporation of the Town of Wallaceburg <sup>Practically</sup> has by its petition prayed for leave to aid in the construction of a sugar beet manufactory in the said town to the extent of \$30,000 by way of bonus or by taking stock in a company organized and incorporated for the said purpose under the name of The Wallaceburg Sugar Company, Limited, and also by way of remission of taxes upon such beet sugar manufactory and the necessary lands, machinery and plant therefor upon such terms as to the municipal council of the said corporation may seem advisable; and whereas since the presentation of the said petition the by-law set forth in the schedule to this Act has been submitted to the ratepayers of the said town and duly passed by the council of the said town, and of the ratepayers voting on the said by-law 335 voted for the said by-law and only seven voted against the same; and whereas in and by the said by-law provision is made for the construction, erection, equipment and development of a sugar factory for the manufacture of sugar from sugar beets capable of turning out twenty tons of sugar per day, such sugar factory to be of modern design and of substantial character, and to be fully and completely equipped with all necessary machinery for the manufacture of fully refined or standard refined sugar; and whereas it is further provided that the said factory shall be erected and put in operation within eighteen months from the date of the said by-law, and that in the construction, erection, equipment and development of the said works there shall be expended the sum of \$380,000, and that the said company shall carry on operations in connection with the said sugar factory for an average of at least one hundred working days in each year during the term of ten years, accidents and other circumstances beyond their control excepted; and whereas it has been made to appear that the said Town of Wallaceburg is situated in a section of the province exceptionally favorable for the production of sugar beets and with unusual advantages and facilities for bringing the same to the factory from the surrounding country; and whereas the amount of the expenditure to be made on the said works and plant and equipment is very large in comparison with the amount of the bonus of \$30,000 authorized by the said by-law and the ratepayers appear to be nearly unanimous in an earnest desire to assist in

manner aforesaid in establishing the said industry; and whereas the requirements of the provisions of *The Municipal Act* have been fully complied with in all respects saving and excepting that the annual levy for principal and interest under the said by-law will with the payment of a similar bonus already granted by the said municipality exceed ten per cent. of the total annual municipal taxation <sup>of</sup> the said town; <sup>and</sup> whereas the establishment of the beet sugar industry in this province is a matter of general public interest and importance and provision is being made for aiding and encouraging such industry by provincial subsidy in that behalf; and whereas the circumstances of the case are quite exceptional and no opposition has been offered to the said petition; and whereas it is expedient to confirm the said by-law subject to the terms and conditions hereinafter set forth:

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

By-law No. 71 of the town of Wallaceburg confirmed.

**1.** Subject to the provisions hereinafter contained <sup>By-law</sup> No. 71 of the Municipal Corporation of the Town of Wallaceburg, set forth as Schedule "A" to this Act is hereby confirmed and declared legal, valid and binding upon the said municipal corporation and the ratepayers thereof notwithstanding any defect in substance or in form of the said by-law or in the manner of passing the same or otherwise, and the said Corporation of the Town of Wallaceburg is hereby authorized and empowered to issue debentures as provided by the said by-law and the said debentures so issued or to be issued under the said by-law are hereby declared legal and binding upon the said municipality and the said corporation is hereby authorized and empowered to do all necessary acts for the full and proper carrying out of the said by-law.

Taxes to be paid by the Wallaceburg Sugar Co.

**2.** Notwithstanding any provisions in the said by-law contained, The Wallaceburg Sugar Company, Limited, shall be liable to pay and shall pay to the Corporation of the Town of Wallaceburg taxes annually to an amount of not less than \$500 during the period of ten years from and after payment of the said bonus of \$30,000 to the said company and from and after the expiration of the said period of ten years the said company shall pay annually not less than \$2,500 by way of taxes on the property and plant of the said sugar factory.

The bonus to be repaid in certain events.

**3.** In the event of the said company failing to establish and operate the said factory according to the terms of the said by-law or the agreement to be entered into between the said company and the Corporation of the Town of Wallaceburg or in the event of the said company at any time during the said term of ten years discontinuing business or going into liquidation or failing to comply substantially with the terms of the

said by-law and agreement, the said company shall, notwithstanding any provisions in the said by-law or agreement contained, repay to the said corporation the amount of the said bonus of \$30,000 and in any of such events the said amount shall become and is hereby declared to be a first charge in favor of the said corporation upon the property and assets of the said company.

#### SCHEDULE A.

##### BY-LAW No. 71.

A By-law for granting a bonus for the promotion of the establishment of Beet Sugar Manufacturing Works within the limits of the Corporation of the Town of Wallaceburg.

Whereas the said corporation have determined to grant by way of bonus the sum of \$30,000.00 to The Wallaceburg Sugar Company, Limited, hereafter to be incorporated under the Ontario Companies' Act, for the establishment of beet sugar manufacturing works within the limits of the Corporation of the Town of Wallaceburg, for the purpose of manufacturing sugar and similar products from sugar beets.

And whereas for the purpose aforesaid it will be necessary for the corporation of the said town to issue its debentures for, and to create a debt to the amount of \$30,000, as hereinafter mentioned, such debt and the debentures to be issued therefor, to be made payable in twenty years, at the farthest, from the day on which such debentures are issued.

And whereas it will require a certain specific sum of \$2,207.46 to be raised in each year during the said period of twenty years, which annual sum will be sufficient to discharge the several instalments of principal and interest accruing due on the said debt as the said instalments and interest become payable respectively according to the terms of this by-law.

And whereas the amount of the whole rateable property of the municipality of the Town of Wallaceburg, according to the last revised assessment roll was the sum of \$524,600.

And whereas the amount of the existing debenture debt of the said municipality of the Town of Wallaceburg is the sum of \$67,886.88 and no portion of the said principal or interest is in arrear.

And whereas the said, The Wallaceburg Sugar Company, Limited, hereinafter called the company, shall immediately after this by-law has received the assent of the ratepayers enter into an agreement with the said corporation of the Town of Wallaceburg to the following effect:—The company will cause to be constructed, erected, equipped and developed a sugar factory for the manufacture of sugar from sugar beets, capable of turning out twenty tons of sugar per day, such sugar factory to be of modern design and of substantial character and to be fully and completely equipped with all necessary machinery for the manufacture of fully refined or standard refined sugar, the said factory shall be erected and put in operation within eighteen months from the date hereof, upon the final completion of the said works as hereinafter provided there shall have been expended in the construction, erection, equipment and development thereof the sum of \$380,000.00, the company covenant, promise and agree with the said municipal corporation that they will operate the said sugar factory as follows: That the company will carry on operations in connection with the said sugar factory for an average of at least one hundred working days in each year during the term of ten years hereinafter provided for, accidents and other circumstances beyond their control excepted; that the company will operate the said sugar factory as provided in this section for ten years from the time they receive the

said sum of \$50,000.00 as hereinafter provided, the said bonus shall be payable as follows: \$10,000.00 when all of the plant and materials are on the ground of the site of the said sugar factory, \$10,000.00 when the said factory is erected and completed, and the balance of \$30,000.00 when sugar is manufactured in the quantities as hereinbefore specified to be the minimum capacity of the said factory; the said Municipal Corporation shall agree to place a fixed assessment of \$20,000.00 on the said sugar factory for a period of ten years from and after the payment of the bonus of \$30,000.00, such assessment shall be placed on all the property and plant of the Company used in the manufacture of beet sugar, the said fixed assessment of \$20,000.00 to apply only to the years in which the said Company operate the said factory, during the said period of ten years, and shall not include an assessment on other property acquired by the Company for residential purposes or for any other business purposes; that they will not engage in or be connected with any business as merchants in the County of Kent but will themselves deal and encourage their men to deal with the merchants of the town of Wallaceburg; that the Company will furnish the corporation with at least one hundred tons of cinders for road material if required by the corporation in each and every year during the said term of ten years from and after two years from the date hereof; the intention of the company is to work and operate the factory to the fullest extent the state of trade will permit but to provide against disputes it shall be provided that should the company not fulfill the terms and conditions of the proposed agreement or be unwilling to continue the operation of the said factory as herein provided, they may give the corporation of the town of Wallaceburg one month's notice in writing of such intention, and at the end of such month their obligations under the proposed agreement shall cease and determine, in either of such cases the company shall refund to the said municipal corporation such sum as shall be found to be due, calculated on the following basis (which sum shall be an ascertained and liquidated amount in full of all claims and demands) namely, the sum of three thousand dollars for each and every year which remains of the period of ten years as hereinbefore provided from the time of the breach or giving of such notice, exclusive of the year in which such breach occurs or notice is given:

Be it therefore enacted by the corporation of the town of Wallaceburg, by the municipal council thereof, in council duly convened and assembled and it is hereby enacted:

1. That it shall be lawful for the Mayor of the said town of Wallaceburg to cause to be raised by way of loan from any person or persons or body or bodies corporate, who may be willing to advance the same upon the credit of the debentures hereinafter mentioned, a sum of money not exceeding in the whole the sum of \$30,000.00, and to cause the same to be paid into the hands of the treasurer of the said town for the purpose hereinbefore set forth.

2. That it shall be lawful for the said Mayor to issue debentures to the extent of \$30,000.00, which said debentures shall be sealed with the corporate seal of the said town and signed by the Mayor and countersigned by the treasurer of the said town.

3. That the said debentures shall be made payable at the office of the Bank of Montreal at the said town of Wallaceburg in each of the years next succeeding the date of the said debentures, commencing with the year 1902, and one in each year thereafter for the next succeeding nineteen years, and shall have attached thereto coupons for the payment of interest thereon.

4. That the said debentures shall be dated on the day of the issue thereof as is hereinbefore provided and shall bear interest at the rate of four per centum per annum from the date of issue thereof, and such interest shall be payable yearly at the said office of the Bank of Montreal in each of the years next succeeding the issue of the said debentures.

5. That the sum of \$2,207.46 required as aforesaid to be raised, levied and collected, shall be so raised, levied and collected in each year during the currency of the said debentures by a special rate sufficient therefor on all the rateable property within the municipality of the said town.



6. That this by-law shall take effect on the first day of May, 1901.

7. That the votes of the qualified electors of the said Town of Wallaceburg shall be taken on this by-law by ballot, pursuant to the Municipal Act on Friday the fifteenth day of March A. D. 1901 from the hour of nine o'clock in the forenoon until the hour of five o'clock in the afternoon of the same day and at the places and by the Deputy Returning officers hereunder specified :—

For St. James Ward—At Martin's shop on the corner of William and James Streets, Harry Martin, Deputy Returning Officer.

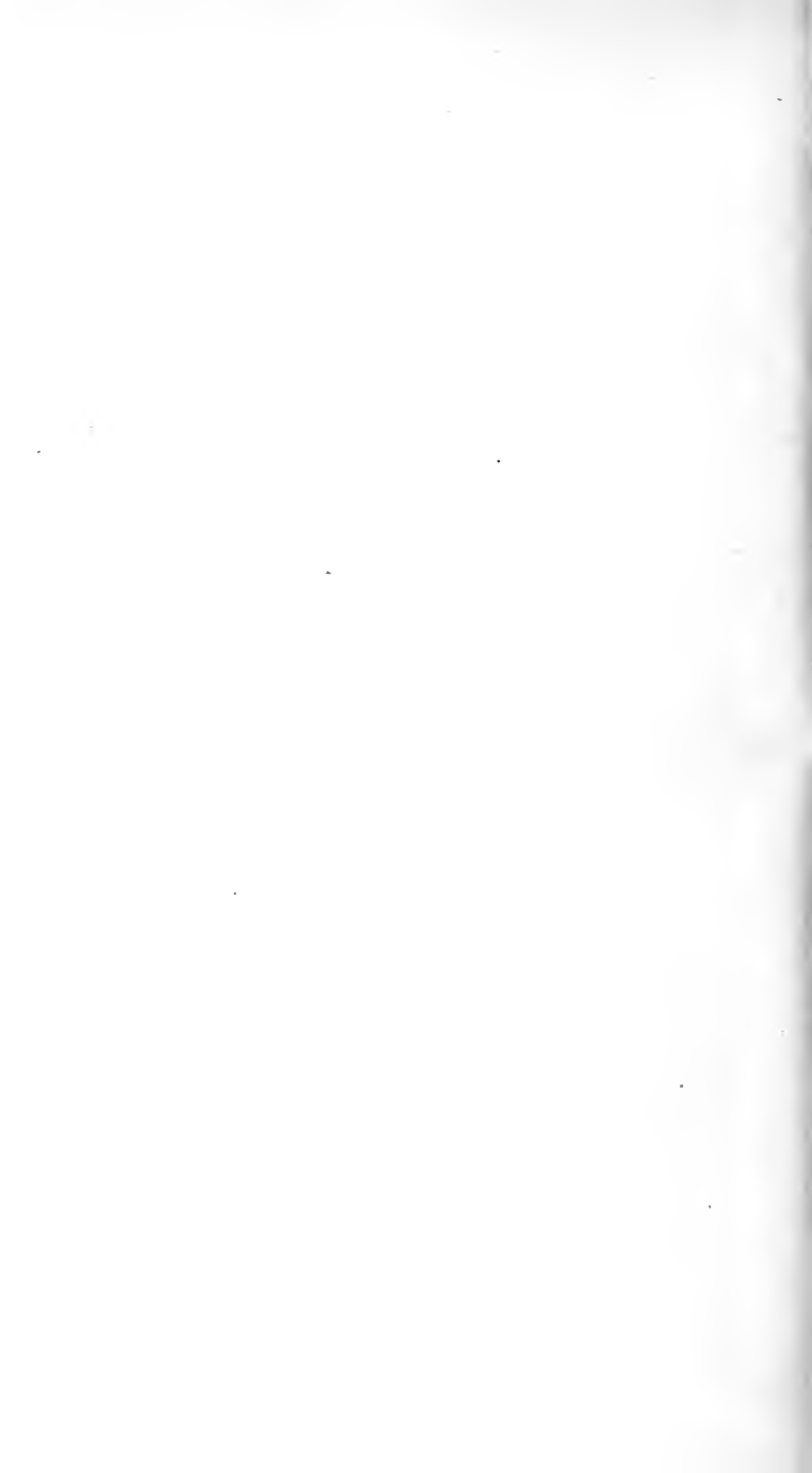
For St. George's Ward—At the Fire Hall, Duncan Street, H. E. Johnson, Deputy Returning Officer.

For St. Andrew's Ward—At the Town Hall, C. B. Jackson, Deputy Returning Officer.

8. That the clerk of this municipality shall sum up the number of votes given for and against this by-law at the clerk's office on the sixteenth day of March A. D. 1901 at the hour of eleven o'clock in the forenoon.

9. That the mayor of the said town shall attend at the said clerk's office on the fourteenth day of March, 1901, at the hour of three o'clock in the afternoon to appoint persons to attend at the various polling places and at the final meeting, summing up of the votes by the said clerk respectively on behalf of the persons interested in and promoting or opposing the passage of this by-law respectively.

Finally passed after the assent of the ratepayers at the council chamber, of the Town of Wallaceburg, this third day of April, A. D. 1901.





No. 107.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

An Act respecting the Town of  
Wallaceburg.

First Reading, 21st March, 1901.

*(Reprinted as amended by Private Bills  
Committee).*

Mr. PARDO.

TORONTO:

PRINTED BY L. K. CAMERON,  
Printer to the King's Most Excellent Majesty.

An Act to consolidate the Debenture Debt of the  
City of Ottawa.

WHEREAS, the corporation of the city of Ottawa has by Preamble.  
petition represented that since the consolidation of its  
debenture debt by Act of the Legislature of the Province  
of Ontario, passed in the year 1878, entitled "An Act to  
5 consolidate the Debenture Debt of the city of Ottawa,"  
and being chapter 37 of the statutes of that year, it has con-  
tracted debts by the issue of debentures for sums aggregating  
\$2,379,864.66, chiefly for works and properties of a permanent  
character intended to endure long beyond the present genera-  
10 tion, and the currency of the debentures issued in connection  
therewith, which said sums become due and payable as fol-  
lows:—

	§	7,533.50	in the year.....	1906
		2,530.00	" "	1907
15		210,900.00	" "	1908
		50,000.00	" "	1911
		14,500.00	" "	1910
		24,536.88	" "	1911
		20,311.20	" "	1901
20		20,000.00	" "	1911
		14,798.10	" "	1902
		9,299.03	" "	1912
		145,000.00	" "	1933
		15,000.00	" "	1933
25		30,000.00	" "	1913
		14,157.33	" "	1903
		29,148.49	" "	1913
		150,000.00	" "	1924
		10,840.07	" "	1904
30		10,367.10	" "	1914
		3,705.65	" "	1905
		69,493.68	" "	1915
		2,296.36	" "	1902
		25,619.04	" "	1917
35		651.50	" "	1907
		4,200.00	" "	1917
		4,895.00	" "	1907
		6,000.00	" "	1902
		9,000.00	" "	1905

55,000.00	in the year..	1917	
44,250.00	" "	1937	
75,000.00	" "	1929	
120,130.24	" "	1917	
3,936.31	" "	1902	5
564.49	" "	1907	
425,000.00	" "	1928	
46,869.97	" "	1909	
1,584.36	" "	1904	
39,931.00	" "	1920	10
55,125.07	" "	1920	
1,124.64	" "	1910	
1,115.14	" "	1910	
1,348.61	" "	1905	
100,000.00	" "	1930	15
80,000.00	" "	1930	
WATER WORKS:			
100,000.00	" "	1917	
150,000.00	" "	1919	
100,000.00	" "	1920	20
75,000.00	" "	1927	

That the aggregate of the sums to be set aside annually to provide sinking funds for the said debentures, together with the other fixed charges and the costs of management of the said city of Ottawa absorb the entire annual revenue of the 25 said city; that if authority were given to renew each of the said debentures as it falls due for a period of forty years, the aggregate of the present sinking funds of the said debentures, which now amounts to \$435,071.50, would, if invested and allowed to accumulate at three per cent. per annum, at the end 30 of the said extended period provide a fund more than sufficient to pay the principal of the said debentures; that the sum of \$75,000 authorized by 60 Victoria, chapter 1, to be raised for the purposes of enlarging and extending the water mains in certain streets of the said city of Ottawa and enlarging and 35 extending and improving the pumping machinery and other appliances of the Water Works of the said city, has proved to be insufficient for those purposes, and that it is desirable that the number of Aldermen for each Ward in the city of Ottawa should be reduced from three to two, and has prayed that an 40 Act may be passed authorizing the renewal and consolidation of the said debentures and investment of the said sinking funds; the issue of debentures for a sum not exceeding \$50,000 for the completion of the said works and reducing the number of Aldermen for each ward in the said city from three 45 to two; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly, of the Province of Ontario, enacts as follows:—

1. The Corporation of the City of Ottawa may from time to time pass a by-law or by-laws under the terms and conditions hereinafter provided, for authorizing the issue of new debentures of the said city to an amount not exceeding in the aggregate the sum of two million three hundred and seventy-nine thousand, eight hundred and sixty-four dollars and sixty-six cents, for raising by way of loan upon the credit of such new debentures from any person or persons, body or bodies, politic or corporate, either in Canada, Great Britain or the United States of America or elsewhere, who may be willing to lend the same, a sum of money not exceeding in the whole the sum of two million three hundred and seventy-nine thousand eight hundred and sixty-four dollars and sixty-six cents of lawful money of Canada to redeem the debentures firstly in the preamble to this Act mentioned.

Power to issue debentures for \$2,379,864.66 to consolidate debt.

2. The new debentures to be so issued shall be debentures of the city of Ottawa and such of the said new debentures as may be required to be issued from time to time in order to redeem debentures falling due may be issued in the year preceding the maturity of the said last mentioned debentures; and the said new debentures shall be payable within forty-one years from the day of the date of the respective issues thereof at any place in Canada, Great Britain, the United States of America or elsewhere, and may be expressed in sterling money of Great Britain or currency of Canada, and such debentures shall be in sums of not less than one hundred dollars Canadian currency or twenty pounds sterling.

Issue of new debentures from time to time as old ones mature.

3. The said new debentures shall be under the corporate seal of the said city, and signed by the mayor and countersigned by the treasurer of the said city, and may be in the form "A" in the Schedule of this Act, or as near thereto as the said corporation may find convenient, according to the places where and the money in which the same are made payable.

Form of debentures.

4. Coupons shall be attached to the said new debentures for the payment of the interest thereon, and such interest shall be payable half-yearly in each and every year at the places and on the days mentioned therein and the coupons attached thereto, and such new debentures may bear interest at such rates as the municipal council of the said city at the date of issue thereof may decide upon.

Payment of interest.

5. The said new debentures and any and all money arising therefrom, shall be applied by the said corporation in the redemption of the debentures of the said city of Ottawa, firstly mentioned in the preamble to this Act, and in no other manner, and for no other purpose whatsoever.

Application of proceeds of debentures.

6. For the payment of the interest on the said new debentures there shall be annually raised, levied and collected

Annual special rate for payment of interest.

by the said corporation upon the whole of the then rateable, or assessable property of the said city of Ottawa, a rate of so much in the dollar as shall be required to discharge in each year the interest on all existing debentures issued under the authority of this Act, until the said last-mentioned debentures shall have been fully paid and satisfied; provided always, that if any of such debentures shall be purchased and redeemed by the said corporation before the maturity thereof out of moneys at the credit of the general sinking fund account created by this Act, then the interest thereon shall continue to be raised and dealt with as provided in the ninth section of this Act.

**7.** From and after the first day of January, 1901, notwithstanding anything contained in *The Municipal Act*, or in the special Acts of the Legislature of the Province of Ontario, or in the by-laws of the said corporation under which the debentures firstly in the preamble to this Act mentioned were severally issued, it shall not be necessary for the said Corporation to raise or levy, annually upon the rateable property of the said city of Ottawa any rate or sum for the purposes of, or to apply any sum of money towards, the sinking funds, created by the said Acts and By-Laws, but from and after the said date it shall only be necessary for the said corporation to levy and assess under the said Acts and by-laws in each year such rate or rates and to reserve yearly from the water-works of the said city, for the construction of which a portion of the said debentures were issued, such sum or sums as shall be sufficient respectively to discharge the interest which shall accrue due in such year upon all such of the debentures firstly in the preamble of this Act mentioned as may still remain outstanding and unsatisfied.

**8.** The said corporation shall have power to carry the present sinking fund accounts of the debentures firstly in the preamble to this Act mentioned, now amounting in the aggregate to the sum of four hundred and thirty-five thousand seventy-one dollars and fifty cents to the credit of the general sinking fund account established by this Act, and the same shall be deposited and invested and allowed to accumulate at interest and compound interest as hereinafter mentioned for the redemption of the principal of the new debentures to be issued hereunder.

**9.** The said corporation shall have power to invest any moneys standing at the credit of the general sinking fund created under this Act, in the purchase and redemption of the debentures, issued under the authority of this Act, at any time, previous to the maturity of the said last mentioned debentures, provided always, that in every such case the said corporation shall continue to levy and provide as aforesaid from year to year such sum as would have been necessary to meet and pay the interest on the said last mentioned debentures.



tures in the same manner precisely as if such debentures had not been so purchased or redeemed, and the said corporation at any time before the maturity of the existing debentures of the said corporation now outstanding and in the preamble to this Act mentioned, shall have power to invest any moneys standing at the credit of the general sinking fund account created by this Act in the purchase and redemption of the said now existing debentures and the said corporation may also apply as far as possible all moneys standing from time to time at the credit of the general sinking fund created under this Act in the payment and satisfaction at maturity of the said existing debentures of the said corporation now outstanding and unmatured: provided moreover that the said corporation shall levy and collect as aforesaid in each year, after such purchase and redemption of the said debentures firstly in the preamble to this Act mentioned, whether the same may have been purchased and redeemed before or at the maturity thereof, a sum equal to the annual interest previously paid on the said now existing debentures so purchased and redeemed, until the time that new debentures authorized to be issued under this Act, would have matured had such new debentures been issued for the purpose of paying the said existing debentures so purchased with general sinking fund moneys as aforesaid, and all interest moneys so raised under this section shall be immediately placed at the credit of the general sinking fund account created under the authority of this Act, and no moneys of the general sinking fund created under this Act shall be invested in securities other than the said debentures hereinbefore mentioned, without the sanction of the Lieutenant Governor-in-Council.

10. All sums of money standing at the credit of the present sinking fund accounts of the debentures firstly in the preamble to this Act mentioned and the said interest moneys required to be raised, levied and collected in and by the 9th section of this Act, shall be placed at the credit of an account to be called the "General Sinking Fund Account No. 2" and the moneys hereby required to be levied to provide for the annual interest on the debentures issued under the authority of this Act and outstanding from time to time, shall be placed at the credit of an account to be called the "Special Interest Account No. 2" by the treasurer of the said city of Ottawa out of the first moneys paid to him in each year by the collector of taxes and water rates or by the taxpayers of the said city after providing for the interest mentioned in the seventh section of this Act, and such general sinking fund account or special interest account moneys shall on no account be used or applied by the said corporation or treasurer for any other purposes than those authorized by this Act.

General sinking fund account No. 2.

11. The said corporation shall be bound to make good and provide out of the general revenue of the said city of Ottawa for such year the difference if any that will arise in such year

Difference between interest on investments and

three per cent. between the interest that shall accrue on the said invested  
thereon to be general sinking funds and the interest which should accrue on  
made good. such funds calculated at the rate of three per cent. per annum  
and place the same at the credit of the said General Sinking  
Fund Account No. 2. 5

Rate limited to  $1\frac{1}{2}$  per cent. on the dollar. **12.** Notwithstanding the provisions of *The Municipal Act* it shall not until the expiration of the year 1978 be lawful for the municipal council of the corporation of the city of Ottawa to assess, levy, or collect in any one year, on the whole rateable property within the said city a rate higher in the aggregate than one and one-half cents on the dollar on the actual value thereof, exclusive of the school rates; provided always that if in any year the whole sum collectable under a rate of one and one-half cents on the dollar as aforesaid will not equal the amount of moneys required by the provisions of this Act to be provided, levied and collected in such year, then, and in such case, the said council shall in any such year assess, levy and collect as aforesaid such further and higher rate as will suffice for and provide the same. 10 15

Rate for parks limited to quarter of a mill. **13.** Notwithstanding the provisions of *The Public Parks Act*, for a period of five years from and after the first day of January, 1901, it shall not be lawful for the said corporation to levy or assess in any one year for the purposes of the Public Parks Board of the said City of Ottawa a higher rate than one quarter of a mill in the dollar upon the assessed value of all the rateable, real and personal property in the said city and it shall not be lawful for the said board to require the council of the said corporation to levy and assess any higher rate, but the estimates of the said board and its expenditures for each year during the said period shall be kept within such limits that the said rate of one quarter of a mill on the dollar shall be sufficient for its requirements. 20 25 30

Revenue from water works. **14.** From and after the first day of January, 1901, all the revenues arising or derivable from or out of the supplying of water by the water works of the City of Ottawa, or from the rates to be levied therefor, or from the real or personal property connected with the said water works, shall, subject to all liens and charges heretofore imposed thereon by Act of the Legislature of the Province of Ontario or otherwise and to which the said revenues are now subject, form part of the general revenue of the City of Ottawa and shall be applicable in the same way as revenue derived from other sources towards all lawful expenditures of the said corporation. 35 40

Inconsistent enactments repealed. **15.** Any section or sections, or part or parts of sections, in the special Acts of the Legislature of the Province of Ontario authorizing the construction of the water works of the City of Ottawa, inconsistent with the provisions of this Act are hereby repealed. 45

16. The said corporation shall have power at any time to place to the credit of the general sinking fund created under the authority of this Act any surplus moneys belonging to the said corporation, either in lieu of the special interest rate required to be levied and collected under this Act, in which case such special interest rate may be reduced to such rate as shall be sufficient to raise the residue only of the amount required to be raised as interest under the authority of this Act, or as an addition to the general sinking fund, for the purpose of providing a further fund for the payment, before or at maturity, of the debentures firstly in the preamble to this Act mentioned, or of the debentures issued under the authority of this Act.

Surplus moneys may be placed to credit of sinking fund.

17. The rates authorized to be imposed hereunder shall for the purposes of collection and otherwise be construed to be imposed under *The Municipal and Assessment Acts* and all the powers therein contained for the collection of a municipal rate or rates shall apply thereto.

Rev. Stat. c. 223 and 224 to apply.

18. The general sinking fund account created under the authority of this Act, and all moneys required by the provisions of this Act, to be placed at the credit of the said account by the treasurer of the said corporation, shall, unless or until such moneys shall be invested as hereinbefore provided, be kept and deposited from time to time, as the sums may be received by him, in the Bank of Ottawa, at the said city of Ottawa or in such other of the chartered banks of the Dominion of Canada having an agency in the said city as the Lieutenant-Governor-in-Council shall direct, until required for the purpose of paying the said debentures.

Sinking fund money to be kept on deposit.

19. In case any holder of any of the debentures firstly in the preamble to this Act mentioned shall be at any time dissatisfied with the provisions of this Act, with respect to the general sinking fund authorized to be created under this Act for the redemption at or before the maturity thereof of such debenture or debentures, or their renewal debentures, then the said corporation shall be bound within six calendar months after notice in writing of the dissatisfaction of such holder left by him for the treasurer of the said corporation at the place where such first mentioned debenture is payable, either to redeem the debenture specified in such notice as provided in the 9th section of this Act, if the said holder and the said corporation agree that the said debenture or debentures shall be so redeemed, or in default thereof to take from the first moneys standing at the credit of the general sinking fund authorized to be created under the 7th and 8th sections in this Act, and place to the credit of the "Debenture Register Sinking Fund Account," authorized to be created under sub-division 3 of this section, a sum equal to the proportionate amount of the sinking fund which should remain at the credit of the debenture or debentures.

Holders of debentures may require corporation to redeem their debentures, or to set aside a special fund.

tures specified in such notice according to the terms of the by-law or by-laws of the said corporation, or of the special Act or Acts of the Legislative Assembly of Ontario, as the case may be, under the authority of which said debenture or debentures were severally issued, and thereafter to continue the levy and collection with respect to such debentures of a pro rata amount of the sinking fund originally named in such by-law or by-laws or in such special Act or Acts: provided always that such notice shall state the number, date of issue, amount and name of holder or holders of each of the debentures specified in such notice, and shall be accompanied with a declaration setting forth that the person claiming to be the holder of such debenture or debentures is the bona fide holder thereof.

(2) In case the said corporation shall agree to redeem any such debenture, as in this section provided, and the moneys at the credit of the general sinking fund authorized to be created under the 7th and 8th sections of this act shall be insufficient for that purpose, then the said corporation shall have power, for the purpose of raising a redemption fund to pay off such debentures to issue a special debenture or debentures to mature in the same year as that originally fixed for the maturity of the debenture or debentures to be redeemed as aforesaid, in which case such special debentures shall be considered as substituted for the debentures redeemed thereby and shall be renewable at their maturity under the provisions of this act to the same extent as the said debentures redeemed thereby would have been if not redeemed under this section.

(3) In case, under the provisions of this section, it shall be necessary to continue the levy and collection as aforesaid of the proportionate amount of the original sinking fund, of any of the debentures firstly in the preamble to this act mentioned, the treasurer of the said corporation shall enter the number, amount, date of issue, name of any holder or holders, amount of the annual sinking fund of such debenture or debentures and the amount carried to the credit of such debenture or debentures under this section in a book to be kept for that purpose, and to be styled a "Debenture Register," and all the moneys of the sinking fund of such debenture or debentures last aforesaid, shall be an additional sinking fund to the general sinking fund authorized to be created under the 7th section of this act, and shall be deposited at the bank or banks mentioned in the 19th section of this act, to the credit of a separate sinking fund account to be styled "Debenture Register Sinking Fund Account No. 2," and shall be used by the said corporation for no purpose whatever other than the redemption at or before maturity of the particular debenture or debentures in respect of which such moneys are respectively deposited as aforesaid.

Debenture holders to be notified of this Act.

20. It shall be the duty of the said corporation to leave at 50 the place or places where the debentures firstly in the preamble of this Act mentioned are respectively payable copies o

this act and printed notices directed to the holders of such debentures, and stating that copies of this Act are so left as aforesaid, and that the said corporation intends to avail itself of the provisions of this Act; and one of such notices, and (if demanded) a copy of this Act shall at every such place, and by, or on behalf of said corporation be given to every person who within twelve calendar months after the passing of this Act lawfully presents himself at such place to receive payment of any interest due upon any such debenture.

Issue of debentures for \$50,000 for water works authorized.

21. It shall be lawful for the said corporation of the City of Ottawa for the purpose of completing the work of enlarging and extending the water mains in certain streets of the said city and of enlarging and improving the pumping machinery and other appliances of the waterworks of the said city, which work has been commenced but remains incomplete by reason of the sum authorized to be raised by 60 Victoria, chapter 71, of the statutes of the Province of Ontario, being insufficient for that purpose, to pass a by-law or by-laws to authorize the issue of debentures of the said corporation for a sum of money not exceeding \$50,000 in such sums of not less than \$100 each as the said corporation may deem expedient which said debentures shall be made payable not more than forty years from the day on which they shall respectively bear date, shall bear interest at a rate not exceeding four per cent. per annum payable half yearly, shall be signed by the mayor and the treasurer of the said city for the time being and may be made payable either in sterling money of Great Britain or currency of Canada, in Great Britain, in this Province or elsewhere as to the said the Corporation of the City of Ottawa shall seem expedient and the proceeds thereof shall be used for the purpose aforesaid and no other purpose.

22. For the payment of the debt and interest represented by the said debentures to be issued under the authority of the preceding section of this Act, there shall be annually raised, levied and collected by the said corporation during the currency of the said debentures a sum sufficient to discharge the said debt and interest when the same shall be respectively payable, said sum to be raised by an annual special rate upon the amount of the rateable or assessable property of the said corporation according to the then last revised assessment roll thereof.

Special rate to be levied.

23. The by-law or by-laws of the said corporation passed under the authority of this Act, shall not require to be submitted to or have the assent of the electors of the said city before the final passing thereof.

Assets of electors not necessary.

24. No irregularity in form of the said debentures or of the by-laws authorizing the issue thereof, shall render the same invalid or illegal or be allowed as a defence to any action

Debentures valid notwithstanding defects of form.

brought against the said corporation for the recovering of the amount of the said debentures and interest or any or either of them or any part thereof.

Expenses of  
sale of  
debentures.

**25.** All the expenses attending the sale or negotiation of the debentures issued under this Act, and all discounts thereon, if any, shall be paid out of the general revenue of the said city in the year succeeding such sale or negotiation. 5

Two Alder-  
men for each  
ward.

**26.** Notwithstanding anything contained in *The Municipal Act* there shall be elected for the year 1902 and for each year thereafter for each ward, in the said city of Ottawa, two, instead of three, aldermen, and for the said year 1902, and for each year thereafter, the Council of the said City of Ottawa shall consist of the mayor and two aldermen for each ward thereof. 10

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## SCHEDULE.

### FORM A.

Consolidated Loan Debenture No. \_\_\_\_\_, \$ \_\_\_\_\_, Province of Ontario, City of Ottawa.

Under and by virtue of the act passed in the first year of the reign of His Majesty King Edward the Seventh and chaptered \_\_\_\_\_ and by virtue of by-law No. \_\_\_\_\_ of the corporation of the city of Ottawa, passed under the powers contained in the said act. The corporation of the city of Ottawa promises to pay the bearer at \_\_\_\_\_ in \_\_\_\_\_ the sum of \_\_\_\_\_ dollars on the \_\_\_\_\_ day of \_\_\_\_\_ A.D., \_\_\_\_\_ and the half yearly coupons hereto attached as the same shall severally be come due.

Mayor,  
Treasurer.



No. 108.

4th Session, 9th Legislature,  
1 Edward VII, 1901.

BILL.

An Act to consolidate the debenture debt  
of the City of Ottawa.

First Reading, . 1901.

(Private Bill.)

Mr. POWELL.

TORONTO:

PRINTED BY L. K. CARRON,

Printer to the King's Most Excellent Majesty.



An Act to Authorize the City of Ottawa to Issue Certain Debentures.

WHEREAS the Corporation of the City of Ottawa has represented that since the consolidation of its debenture debt by the Act passed in the 41st year of the reign of Her late Majesty Queen Victoria, chaptered 37, and intituled "An Act to consolidate the debentures debt of the City of Ottawa," the said city has contracted debts by the issue of debentures for sums aggregating \$2,379,864.66, chiefly for works and properties of a permanent character intended to endure long beyond the present generation, and that the aggregate of the sums to be set aside annually to provide sinking funds for the said debentures, together with the other fixed charges and the costs of management of the said city absorb almost the entire present annual revenue of the said city: that by the disastrous conflagration which swept over the city last year a great portion of the city was destroyed, and the city has for the time being lost the revenue to be derived from taxation of the property so destroyed; that under and by virtue of the Act passed in the 63rd year of the reign of Her late Majesty Queen Victoria, chaptered 80, the said city has borrowed on debentures the sum of \$100,000 which has been applied in the relief of the sufferers from the said conflagration in manner as by the said Act provided; that the said city has recently expended, and is now expending large sums of money in the construction of main sewers, the total amount of the cost of the works already undertaken in the said respect being estimated at \$505,000; that the said city has recently been called upon to pay the sum of \$150,000 by way of a bonus to the interprovincial bridge connecting the Provinces of Ontario and Quebec at the said city; that for these and other reasons the city of Ottawa finds itself unable to meet its present and immediately accruing liabilities: that the existing stringency is, however, of a temporary character, and is likely to be met by increased revenues and reduction in fixed charges after a term estimated at four years; that the corporation of the said city wishes to apply the moneys to be raised as herein provided, in the payment of a portion of the interest and sinking fund of the debentures now outstanding; that if authority were given to borrow the sums following, that is to say:

In the year 1901 the sum of \$75,000.00;

In the year 1902 the sum of \$55,000.00;

In the year 1903 the sum of \$40,000.00;  
 In the year 1904 the sum of \$30,000.00;

the City of Ottawa would, at the expiration of the said period, be in a position to meet its then present and future obligations; that it is desired that authority be given to the said city to issue debentures to the amount aforesaid in each of the years aforesaid as more fully hereinafter set out; that the sum of \$75,000.00 authorized by the Act passed in the 60th year of the reign of Her late Majesty Queen Victoria, chaptered 71, to be raised for the purposes of enlarging and extending the water mains in certain streets of the said city and enlarging, extending and improving the pumping machinery and other appliances of the water-works of the said city, has proved to be insufficient for those purposes; and whereas <sup>227</sup>the Corporation of the City of Ottawa has requested that authority be granted to the said corporation to issue debentures to the amount and for the purposes aforesaid; and whereas it appears that due and sufficient notice of the said application has been given to the ratepayers of the said city: <sup>228</sup>and whereas it is expedient to grant the petition <sup>229</sup>of the said corporation:—<sup>230</sup>

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:—

Authority to  
 city to raise  
 money on  
 debentures.

1. The Corporation of the City of Ottawa may issue debentures under the corporate seal signed by the mayor and countersigned by the treasurer of the said city for the time being, at any time during the years following, that is to say:

In the year 1901 to the amount of \$75,000.00;  
 In the year 1902 to the amount of \$55,000.00;  
 In the year 1903 to the amount of \$40,000.00;  
 In the year 1904 to the amount of \$30,000.00;

or for such portion of such amounts as the said corporation may by by-law in each of the said years determine, and the principal sums secured by the said debentures and the interest accruing thereon may be made payable at such time or times, and at such place or places, whether in Canada, Great Britain, the United States or elsewhere, as to the said corporation may seem expedient, provided however, that the currency of none of the said debentures shall extend beyond a period of 40 years from the present year, 1901, and that all of the said debentures shall mature in the same year.

Disposal of  
 debentures.

2. The said corporation may sell or dispose of the said debentures or any of them, from time to time, to any person or persons, body or bodies, corporate or politic, either in Canada, Great Britain, United States of America, or elsewhere, as to the the said corporation may seem expedient.

3. The said debentures may be expressed in sterling money of Great Britain or in the currency of Canada, and shall be in sums of not less than one hundred dollars, Canadian currency, or twenty pounds sterling, and may be in form given in Schedule "A" of this Act, or as near thereto as the said corporation may find convenient according to the places where, and the money in which the same are made payable. Coupons shall be attached thereto for the payment of the interest thereon and such interest shall be payable half yearly in each and every year at the places mentioned therein, and in the coupons attached thereto, and such debentures may bear interest at such rates as the municipal council of the said city at the date of issue thereof may determine.

Form of debentures.

4. It shall not be necessary to obtain the consent of the electors of the said city to the issue of the said debentures, or to the passing of any by-law directing the issue of the same or to observe the formalities in relation thereto described by *The Municipal Act*.

Consent of electors not necessary.

Rev. Stat. c. 223.

5. No irregularity, either in the form of the said debentures or of any by-law authorizing the issue thereof, shall render the same invalid or illegal, or be allowed as a defence to any action brought against the corporation for the recovery of the amount of the said debentures and interest, or any or either of them, or any part thereof.

Irregularity in form not to invalidate debentures.

6. The said sums to be raised as herein provided shall be applied in payment of the interest and sinking fund of the debentures now outstanding as such interest and sinking fund becomes due.

Application of proceeds of debentures.

7. Save as otherwise provided by this Act all the provisions of *The Municipal Act* with regard to by-laws for the creation of debts the issue of debentures therefor and the mode of repaying the same, and the levying of a special rate for the payment of the said debentures and interest thereon, or for the sinking fund or funds, if the by-law or by-laws passed under the authority of this Act provide for debentures being issued on the sinking fund plan and as to the accounts to be kept with reference to any debts so incurred, shall apply to any by-law or by-laws passed, and to any debentures issued under the authority of this Act.

Application of general provisions of Rev. Stat. c. 223.

8. It shall be lawful for the corporation of the City of Ottawa, for the purpose of completing the work of enlarging and extending the water main in certain streets of the said city, and of enlarging and improving the pumping machinery and other appliances of the water works of the said city, which work has been commenced, but remains incomplete by reason of the sum authorized to be raised by the said Act of the 60th year of the reign of Her late Majesty being insufficient for that

Authority to issue debentures to pay the cost of completing waterworks.

purpose, to pass a by-law or by-laws to authorize the issue of debentures of the said corporation for a sum of money not exceeding \$50,000 in such sums of not less than \$100 each, as the said corporation may deem expedient, which said debentures shall be made payable not more than 40 years from the day on which they shall respectively bear date, shall bear interest at a rate not exceeding 4 per cent. per annum, payable half yearly, shall be signed by the mayor and the treasurer of the said city for the time being, and may be made payable either in sterling money of Great Britain or currency of Canada, in Great Britain, in this province, or elsewhere, as the said corporation of the said city may deem expedient, and the proceeds thereof shall be used for the purposes aforesaid and no other purpose.

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SCHEDULE.

FORM "A."

Debenture No.

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Province of Ontario

City of Ottawa.

Under and by virtue of the Act passed in the first year of the reign of His Majesty King Edward the VII, and chaptered            and, by virtue of By Law No.            of the Corporation of the City of Ottawa, passed under the powers contained in the said Act, the Corporation of the City of Ottawa promises to pay to the bearer at            in the sum of            dollars on the day of            A.D.            and the half yearly coupons hereto attached as the same shall severally become due.

Mayor.

Treasurer.



No. 108.

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4th Session, 9th Legislature,  
1 Edward VII., 1901.

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BILL.

An Act to authorize the City of Ottawa to  
issue certain debentures.

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First Reading, 15th March, 1901.

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*(Reprinted as amended by Private Bills  
Committee)*

Mr. POWELL.

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TORONTO:  
PRINTED BY L. K. CAMERON,  
Printer to the King's Most Excellent Majesty.



An Act to Authorize the City of Ottawa to Issue Certain Debentures.

**W**HEREAS the Corporation of the City of Ottawa has represented that since the consolidation of its debenture debt by the Act passed in the 41st year of the reign of Her late Majesty Queen Victoria, chaptered 37, and intituled "An Act to consolidate the debentures debt of the City of Ottawa," the said city has contracted debts by the issue of debentures for sums aggregating \$2,379,864.66, chiefly for works and properties of a permanent character intended to endure long beyond the present generation, and that the aggregate of the sums to be set aside annually to provide sinking funds for the said debentures, together with the other fixed charges and the costs of management of the said city absorb almost the entire present annual revenue of the said city: that by the disastrous conflagration which swept over the city last year a great portion of the city was destroyed, and the city has for the time being lost the revenue to be derived from taxation of the property so destroyed: that under and by virtue of the Act passed in the 63rd year of the reign of Her late Majesty Queen Victoria, chaptered 80, the said city has borrowed on debentures the sum of \$100,000 which has been applied in the relief of the sufferers from the said conflagration in manner as by the said Act provided: that the said city has recently expended, and is now expending large sums of money in the construction of main sewers, the total amount of the cost of the works already undertaken in the said respect being estimated at \$505,000: that the said city has recently been called upon to pay the sum of \$150,000 by way of a bonus to the interprovincial bridge connecting the Provinces of Ontario and Quebec at the said city: that for these and other reasons the city of Ottawa finds itself unable to meet its present and immediately accruing liabilities: that the existing stringency is, however, of a temporary character, and is likely to be met by increased revenues and reduction in fixed charges after a term estimated at four years: that the corporation of the said city wishes to apply the moneys to be raised as herein provided, in the payment of a portion of the interest and sinking fund of the debentures now outstanding: that if authority were given to borrow the sums following, that is to say:

In the year 1901 the sum of \$75,000.00;

In the year 1902 the sum of \$55,000.00;

In the year 1903 the sum of \$40,000.00;  
 In the year 1904 the sum of \$30,000.00;

the City of Ottawa would, at the expiration of the said period, be in a position to meet its then present and future obligations; that it is desired that authority be given to the said city to issue debentures to the amount aforesaid in each of the years aforesaid as more fully hereinafter set out; that the sum of \$75,000.00 authorized by the Act passed in the 60th year of the reign of Her late Majesty Queen Victoria, chaptered 71, to be raised for the purposes of enlarging and extending the water mains in certain streets of the said city and enlarging, extending and improving the pumping machinery and other appliances of the water-works of the said city, has proved to be insufficient for those purposes; and whereas ~~the~~ the Corporation of the City of Ottawa has requested that authority be granted to the said corporation to issue debentures to the amount and for the purposes aforesaid; and whereas it appears that due and sufficient notice of the said application has been given to the ratepayers of the said city; ~~and~~ and whereas it is expedient to grant the petition ~~of~~ of the said corporation:—

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:—

Authority to  
 city to raise  
 money on  
 debentures.

1. The Corporation of the City of Ottawa may issue debentures under the corporate seal signed by the mayor and countersigned by the treasurer of the said city for the time being, at any time during the years following, that is to say:

In the year 1901 to the amount of \$75,000.00;  
 In the year 1902 to the amount of \$55,000.00;  
 In the year 1903 to the amount of \$40,000.00;  
 In the year 1904 to the amount of \$30,000.00;

or for such portion of such amounts as the said corporation may by by-law in each of the said years determine, and the principal sums secured by the said debentures and the interest accruing thereon may be made payable at such time or times, and at such place or places, whether in Canada, Great Britain, the United States or elsewhere, as to the said corporation may seem expedient, provided however, that the currency of none of the said debentures shall extend beyond a period of 40 years from the present year, 1901, and that all of the said debentures shall mature in the same year.

Disposal of  
 debentures.

2. The said corporation may sell or dispose of the said debentures or any of them, from time to time, to any person or persons, body or bodies, corporate or politic, either in Canada, Great Britain, United States of America, or elsewhere, as to the said corporation may seem expedient.



3. The said debentures may be expressed in sterling money of Great Britain or in the currency of Canada, and shall be in sums of not less than one hundred dollars, Canadian currency, or twenty pounds sterling, and may be in form given in Schedule "A" of this Act, or as near thereto as the said corporation may find convenient according to the places where, and the money in which the same are made payable. Coupons shall be attached thereto for the payment of the interest thereon and such interest shall be payable half yearly in each and every year at the places mentioned therein, and in the coupons attached thereto, and such debentures may bear interest at such rates as the municipal council of the said city at the date of issue thereof may determine.

Form of debentures.

4. It shall not be necessary to obtain the consent of the electors of the said city to the issue of the said debentures, or to the passing of any by-law directing the issue of the same or to observe the formalities in relation thereto prescribed by *The Municipal Act*.

Consent of electors not necessary.

Rev. Stat. c. 223.

5. No irregularity, either in the form of the said debentures or of any by-law authorizing the issue thereof, shall render the same invalid or illegal, or be allowed as a defence to any action brought against the corporation for the recovery of the amount of the said debentures and interest, or any or either of them, or any part thereof.

Irregularity in form not to invalidate debentures.

6. The said sums to be raised as herein provided shall be applied in payment of the interest and sinking fund of the debentures now outstanding as such interest and sinking fund become due, <sup>and</sup> and the rates to be levied for such interest or sinking fund shall be reduced to the extent to which the proceeds of the debentures authorized by section 1 of this Act are applied to such purpose. <sup>and</sup>

Application of proceeds of debentures.

7. Save as otherwise provided by this Act all the provisions of *The Municipal Act* with regard to by-laws for the creation of debts the issue of debentures therefor and the mode of repaying the same, and the levying of a special rate for the payment of the said debentures and interest thereon, or for the sinking fund or funds, if the by-law or by-laws passed under the authority of this Act provide for debentures being issued on the sinking fund plan and as to the accounts to be kept with reference to any debts so incurred, shall apply to any by-law or by-laws passed, and to any debentures issued under the authority of this Act.

Application of general provisions of Rev. Stat. c. 223.

8. Every by-law passed by the said Corporation under section 1 of this Act shall provide that there shall be annually raised, levied and collected by the said Corporation annually during the currency of the said debentures an annual rate on the whole rateable property a special rate sufficient for the

Special rate.

payment of the interest upon the debentures to be issued under such by-law and to provide a sinking fund sufficient with the estimated interest thereon at the rate of three per cent. per annum to provide for the payment of the said debentures as they fall due, notwithstanding that such rates will increase the aggregate annual rates to be levied in the said city beyond one and one-half cents on the dollar.<sup>23</sup>

Authority to  
issue debentures to pay  
the cost of  
completing  
waterworks.

§ 9 It shall be lawful for the corporation of the City of Ottawa, for the purpose of completing the work of enlarging and extending the watermain in certain streets of the said city, and of enlarging and improving the pumping machinery and other appliances of the water works of the said city, which work has been commenced, but remains incomplete by reason of the sum authorized to be raised by the said Act of the 60th year of the reign of Her late Majesty being insufficient for that purpose, to pass a by-law or by-laws to authorize the issue of debentures of the said corporation for a sum of money not exceeding \$50,000 in such sums of not less than \$100 each, as the said corporation may deem expedient, which said debentures shall be made payable not more than 40 years from the day on which they shall respectively bear date, shall bear interest at a rate not exceeding 4 per cent. per annum, payable half yearly, shall be signed by the mayor and the treasurer of the said city for the time being, and may be made payable either in sterling money of Great Britain or currency of Canada, in Great Britain, in this province, or elsewhere, as the said corporation of the said city may deem expedient, and the proceeds thereof shall be used for the purposes aforesaid and no other purpose.

Special rates.

§ 10 For the payment of the debt and interest represented by the said debentures to be issued under the authority of the preceding section of this Act, there shall be annually raised, levied and collected by the said corporation during the currency of the said debentures a sum sufficient to discharge the said debt and interest when the same shall be respectively payable, said sum to be raised by an annual special rate upon the amount of the rateable or assessable property of the said corporation according to the then last revised assessment roll thereof.<sup>24</sup>

Assent

§ 11 The by-law or by laws of the said corporation passed under section 9 of this Act, shall not require to be submitted to or have the assent of the electors of the said city before the final passing thereof.<sup>25</sup>

## SCHEDULE.

FORM "A."

Debenture No.

§

Province of Ontario.

City of Ottawa.

Under and by virtue of the Act passed in the first year of the reign of His Majesty King Edward the VII, and chaptered            and, by virtue of By Law No.            of the Corporation of the City of Ottawa, passed under the powers contained in the said Act, the Corporation of the City of Ottawa promises to pay to the bearer at            in the sum of            dollars on the day of            A.D.            and the half yearly coupons hereto attached as the same shall severally become due.

Mayor.

Treasurer.





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4th Session, 9th Legislature,  
1 Edward VII., 1901.

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BILL.

An Act to authorize the City of Ottawa to  
issue certain debentures.

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First Reading, 15th March, 1901.  
Second Reading, 4th April, 1901.

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*(Reprinted as amended in Committee of  
the Whole)*

Mr. POWELL.

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TORONTO:  
PRINTED BY L. K. CAMERON,  
Printer to the King's Most Excellent Majesty.

## An Act respecting the Town of Amherstburg.

WHEREAS, the Municipal Corporation of the Town of Amherstburg, in the county of Essex, has by petition represented that in the years 1896, 1897, 1898, 1899 and 1900, the said town constructed certain sewers and silex stone pavements as local improvements under the provisions of "The Municipal Act" and borrowed moneys by way of temporary loans and paid for the same: that the construction of the said sidewalks and the said sewers, with the exception of the sewer on a portion of Dalhousie street, were all undertaken upon petition of the owners of the properties benefited thereby and the said sewer on Dalhousie street was constructed on the recommendation of the Board of Health: that all parties interested in the construction of the said local improvements had due notice of all the proceedings, and a Court of Revision for hearing complaints was duly held and the proportion in which the cost of such improvements should be borne was duly settled pursuant to the provisions of the said Act; that on the 4th day of March, 1901, the said town passed a by-law, No. 176 A., entitled "A By-law relating to the construction of certain Local Improvements and to authorize the issue of Debentures for the sum of \$28,200, to pay for the same," confirming the various proceedings relating to the construction of the said local improvements, and authorizing the issuing of debentures for the sum of \$28,200 to pay off the said temporary loans and imposing rates in the proportion settled as aforesaid upon the properties benefited by such improvements to pay their respective shares of such cost and upon the whole rateable property of the municipality to pay the municipality's share thereof, but that by reason of no such rates having been levied and collected in the years which have elapsed since the construction of the said works and the rates imposed extending for twenty years from the passing of the by-law, doubts have arisen as to the validity of such by-law and the debentures to be issued under the same, and it is doubtful if by reason of the matters above set forth the municipal council can now pass a by-law that will in all respects comply with the requirements of *The Municipal Act* and that any effort to do so would involve great trouble and expense, and the said municipal corporation has by the said petition prayed that an Act may be passed to legalize and confirm the said by-law which is contained in

Schedule "A" hereto; and whereas, the said municipal corporation has by the said petition further represented that the collectors' roll of the said municipality for the year 1897 was duly made out and delivered to the collector, but by inadvertence and mistake the same was not certified by the clerk nor was any warrant to collect attached thereto as required by the statute in that behalf; that the greater part of the taxes included in the said roll have been collected, but that certain taxes included therein remain uncollected and that the municipality is unable to resort to the proper legal remedies to enforce payment of the same; that the said collector's roll has been duly audited and corrected by Frank H. Macpherson, a chartered accountant, pursuant to the order of His Honour, the Lieutenant-Governor-in-Council, and the said municipal council has by the said petition further prayed that an act may be passed to legalize, ratify and confirm the said collector's roll for the year 1897, and to authorize the collection of the taxes therein mentioned; and whereas no opposition has been offered to the said petitions; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

By-law 176 A confirmed.

1. The said by-law of the Corporation of the Town of Amherstburg, being By-law No. 176 A., intituled "A by-law relating to the construction of certain Local Improvements and to authorize the issue of Debentures for the sum of \$28,200, to pay for the same." as set forth in Schedule A. to this Act, is confirmed and declared to be legal, valid and binding upon the said municipal corporation, and the ratepayers thereof notwithstanding any defect in substance or form in the said by-law, or in the manner of passing the same or otherwise, and notwithstanding any want of authority or jurisdiction of the said corporation or the municipal council thereof to pass the same.

Power to issue debentures for \$28,200.

2. The said Municipal Corporation of the Town of Amherstburg is hereby authorized and empowered to issue debentures as provided by the said by-law, and the debentures so issued and the interest coupons attached thereto shall be legal and binding upon the said corporation and the ratepayers thereof.

Collector's roll confirmed.

3. The collector's roll of the said Municipal Corporation of the Town of Amherstburg for the year 1897 made and delivered to the collector as the same has been audited and corrected by the report made the 29th day of November, 1900, by Frank H. Macpherson, a chartered accountant, pursuant to an order of His Honour the Lieutenant-Governor in Council, bearing date the 24th day of February, 1900, is hereby declared to be legal, valid and binding upon the said municipal corporation and the ratepayers thereof notwithstanding any defect in sub-



stance or in form in the said roll, and notwithstanding that the same was not certified by the clerk of the said municipality under his hand, pursuant to the provisions of the statute in that behalf. And the said municipal corporation and the  
5 officers, servants and agents thereof shall have full power, jurisdiction and authority to collect and enforce payment of the taxes mentioned in the said collector's roll by all the means, proceedings, and processes provided by law for the collection of taxes by municipal corporations, and may execute  
10 all warrants and other authorities necessary for the purposes of such proceedings.

## SCHEDULE.

## BY-LAW No. 176A.

A by law relating to the construction of certain local improvements and to authorize the issue of debentures for the sum of \$28,200 to pay for the same.

Whereas, petitions have been presented to the council of this municipality asking for the construction of silex stone sidewalks upon those portions of the following streets particularly set forth in the schedule to this by-law, namely,—Dalhousie, Ramsay, Bathurst, Apsley, Rankin Avenue, Seymore, King, North, Sandwich, Gore, Murray and Park streets.

And whereas, petitions have been presented to the council of this municipality asking for the construction of sewers upon those parts of the following streets more particularly set forth in the schedule to this by-law, namely,—Park, Apsley, Simcoe, Seymore, King and George streets, and the council of this municipality deem it expedient to grant the prayer of the said petitioners respectively, and to construct the said several sidewalks and sewers.

And whereas, upon the recommendation of the Board of Health, the council of this municipality have constructed a sewer on that part of Dalhousie street more particularly set forth in the said schedule.

And whereas, it has been ascertained and determined in accordance with the provisions of the statute in that behalf that the said petitioners in each case are two thirds in number of the owners and represent one-half in value of the real property to be benefited by the said respective sidewalks and sewers, according to the last revised assessment roll of this municipality, and that the real property (including street intersections), comprised within the limits set forth and particularly described in the schedule annexed to this by-law, is the real property immediately benefited by the construction of the said sidewalks and sewers respectively, and that all of the said real property comprised in each of the said petitions respectively is so benefited specially, and the proportion in which the assessment for the final cost thereof is to be made on the various portions of real estate so benefited, and the portion to be defrayed out of the general funds of the municipality have also been ascertained in manner aforesaid, and are particularly set forth in the schedule annexed to this by-law.

And whereas, the council of this corporation has determined to bear and pay the cost of such part of the said sidewalks as is situate upon or in any street, lane, alley, public place or square which is intersected by any other street, lane, alley, public place or square, or as would otherwise fall on property exempt from assessment.

And whereas, the council of this corporation has not adopted the local improvement system in respect of sidewalks or pavements and has determined to bear and pay one-third of the cost of the construction of the said sidewalks in addition to the part of such cost to be provided by the municipality as aforesaid.

And whereas, the council of this corporation has determined to bear and pay in connection with the said sewer the cost of all culverts and other works necessary for street surface drainage, and also the cost of that part of the said sewer which is incurred at and is chargeable in respect of street intersections, and also that part thereof done or made opposite real property which is exempt from special local assessment.

And whereas, the said sidewalks and sewers have been constructed and the total cost of each sidewalk and sewer in each case appears in the schedule hereto annexed and the portion of the cost thereof to be paid by

the ratepayers and to be assessed on the property benefited, and the portion of the cost thereof to be paid by the municipality, are in each case set forth in the said schedule.

And whereas, the total cost of all the said sidewalks and sewers is the sum of \$28,200.00 which is the amount of the debt intended to be created by this by-law, of which the sum of \$17,808.32 is to be paid by the ratepayers and is assessed upon the property benefited thereby as set forth in the said schedule, and the sum of \$10,391.76 being the municipality's share of the cost thereof as set forth in the said schedule is payable by the said municipality.

And whereas, the said sum of \$28,200 has been raised by way of temporary loans and the said several sidewalks and sewers paid for.

And whereas, it is desirable to consolidate the several amounts and issue the debentures in one consecutive issue.

And whereas, the value of the whole ratable property of the said municipality according to the last revised assessment roll is the sum of \$463,985.

And whereas, the amount of the existing debenture debt of the said municipality, exclusive of local improvement debts secured by special acts, rates or assessments, is the sum of \$58,133.14, and no part of either principal or interest is in arrears.

And whereas, the said sum of \$17,808.32, part of the debt to be created under this by-law, is created on the security of the special rates settled by this by-law and is further guaranteed by the municipality at large.

And whereas, the probable life of the said sidewalks is twenty years from the date hereof.

And whereas, it is desirable to make the principal of the said debt repayable by annual instalments during the period of twenty years next, after the day on which this by-law takes effect, such instalments of principal to be of such amounts that the aggregate amount payable for principal and interest in any year shall be equal as nearly as may be to what is payable for principal and interest during each of the other years.

And whereas, it will be necessary to raise annually in each year for the period of twenty years during the currency of the debentures to be issued under this by-law the sum of \$2,167.91 for paying the several instalments of principal and interest, such annual sum to be made up as follows:— For the purpose of paying the said sum of \$17,808.32 assessed on the said real property and the interest thereon it will be necessary to raise annually for the said term of twenty years the sum of \$1,369.03 and for the purpose of paying the said sum of \$10,391.76, payable by the said municipality and interest thereon, it will be necessary to raise annually the sum of \$798.88 for the said term of twenty years.

Therefore the municipal council of the corporation of the Town of Amherstburg enacts as follows:

1. That all proceedings hereinbefore referred to are hereby adopted, confirmed and declared to be valid.

2. That for the purposes aforesaid it shall be lawful for this corporation to borrow on the security of the special rates hereby imposed and of the guarantee of the municipality the sum of twenty-eight thousand two hundred dollars, and for that purpose to issue debentures of the corporation of the town of Amherstburg for the sum of twenty-eight thousand two hundred dollars, in sums of not less than one hundred dollars each, which said debentures shall have coupons attached thereto for the payment of interest, and that the moneys so to be raised shall be applied and expended in paying off and discharging the temporary loans heretofore obtained for the construction of the said sidewalks and in no other way and for no other purpose.

3. The said debentures shall bear interest at the rate of four and one-half per cent. per annum, payable yearly, and as to both principal and interest may be payable in any place in Great Britain or this Province.

4. The mayor of the said municipality shall sign and issue the said debentures and coupons and cause the same to be signed by the treasurer of the said municipality, and the clerk of the said municipality is hereby authorized and instructed to attach the corporate seal of the said municipality to the said debentures.

5. The said debentures shall be payable in twenty annual instalments during the twenty years next after the date of the issue of the same, and the respective amounts of principal and interest payable during each of the said years shall be as follows:—

Year	Principal.	Interest.	Total.
1901.....	898 91	1,269 00	2,167 91
1902.....	939 36	1,228 55	2,167 91
1903.....	981 64	1,186 27	2,167 91
1904.....	1,025 81	1,142 10	2,167 91
1905.....	1,071 96	1,095 95	2,167 91
1906.....	1,120 21	1,047 70	2,167 91
1907.....	1,170 62	997 29	2,167 91
1908.....	1,223 29	944 62	2,167 91
1909.....	1,278 34	889 57	2,167 91
1910.....	1,335 87	832 04	2,167 91
1911.....	1,395 98	771 93	2,167 91
1912.....	1,458 80	709 11	2,167 91
1913.....	1,524 45	643 46	2,167 91
1914.....	1,593 05	574 86	2,167 91
1915.....	1,664 73	503 18	2,167 91
1916.....	1,739 65	428 26	2,167 91
1917.....	1,817 93	349 98	2,167 91
1918.....	1,899 74	268 17	2,167 91
1919.....	1,985 23	182 68	2,167 91
1920.....	2,074 43	93 48	2,167 91

\$28,200 00

6. That for the purpose of paying the said instalments of principal and interest as the same become due, respectively, during twenty years, the currency of the debentures to be issued under this by-law, the sum of \$2,167.91 shall be raised annually, as follows.—The sum of \$1,369.03 shall be raised annually for the payment of that part of the debt and interest assessed upon the real estate benefitted, and for that purpose the special rates per foot frontage set forth in the schedule hereto annexed, which is hereby declared to form part of this by-law, are hereby imposed on the real property of the ratepayers mentioned and described therein according to the frontage thereof over and above all other rates and taxes, which said special rates are sufficient to produce in each year the said sum of \$1,369.03 and shall be annually inserted in the collector's rolls of the said municipality and shall be payable to and collected by him in the same manner as other rates on the said rolls. And the further sum of \$798.88 shall be raised annually for the payment of that part of the said debt and interest to be paid by the municipality, which said sum shall be levied and raised annually by a special rate sufficient therefore over and above all other rates on all the rateable property of the said municipality at the same time and in the same manner as all other rates.

7. That the debt to be created on the security of the special rates settled by this by-law be and the same is hereby guaranteed by the municipality at large.

8. That the moneys to be borrowed as aforesaid shall be apportioned and each of the said works credited with its proper proportion thereof.

9. If at any time the owners of the said real property hereinbefore described, or any part thereof, shall desire to commute the assessment imposed by this by-law by the payment of his, her, or their proportionate share or shares of the cost thereof, as a principal sum in lieu thereof, he, she or they may so commute by the payment of such sum as would be sufficient if invested at interest at the rate of 4½ per cent. per annum,

compounded yearly during the term the said debentures will have to run to pay a proportionate share of the said instalments then remaining unpaid.

10. All moneys received in commutation of the said rates under the preceding section of this by-law shall be invested by the treasurer under resolution of this council from time to time as the law directs.

11. The debentures to be issued hereunder shall contain a provision in the following words,—“ This debenture, or any interest thereon, shall not, after a certificate of ownership has been endorsed thereon by the treasurer of this municipal corporation, be transferable except by entry by the treasurer or his deputy in the debenture registry book of the said corporation.”

12. That during the period of twenty years, commencing from and after the first day of January, A. D. 1901, the said above described real property shall be exempt from all general rates or assessments for sidewalks, save and except the cost of similar works and improvements at the intersection of streets and except such portion of the general rate as may be imposed to meet the cost of like works and improvements opposite real property which is exempt from such special assessment.

13. That this by-law shall come into operation and take effect on the day of the final passing thereof.

Done and passed in open council this fourth day of March, A. D. 1901.

(Sgd.) O. TEETER,  
Mayor, Town of Amherstburg.

(Sgd.) J. W. C. LEGGATT,  
Clerk, Town of Amherstburg.



SIDEWALKS.

1	2	3	4	5	6	7	8	9	10	11	12	13	14
Lot or part of lot.	Side of street.	Street.	Person assessed.	Feet frontage.	Width of walk.	Total square feet.	Price per foot.	Cost.	Interest on temporary loans and other expenses.	Total cost.	Amount assessable on lots, being	Annuity for 20 years.	Annual rate per cent of frontage.
N pt 12	East	Dalhousie	W. F. A. Julia A. Wilkinson	51	9	459	13	59 97	12 34	72 01	48 01	3 69	0 7242
S pt 12	"	"	Richard Elliott	10 6	9	94 6	13	12 28	2 51	11 82	9 88	7 6	0 7242
N pt 11	"	"	D. H. Terry	34	9	306	13	39 78	8 23	48 01	32 01	2 46	0 7242
S pt 11	"	"	W. H. McEvoy	30	9	270	13	35 10	7 26	42 36	28 24	2 17	0 7242
10	"	"	J. H. Webster	61 6	9	471 6	13	61 30	12 68	73 98	49 32	3 79	0 6163
9	"	"	Wm. Horsman	59	7 8	531	13	69 03	11 27	83 31	53 51	4 28	0 7242
E pt 2	West	"	Wm. Caldwell	62	9	434	12	52 08	10 77	62 85	41 90	3 22	0 5419
E pt 3	"	"	Mrs. C. F. Parks	62	7	403	12	48 36	10 00	58 36	38 91	2 99	0 482
E pt 3	"	"	"	9 4	6 6	28	12	3 36	69	4 05	2 70	2 99	0 215
N pt 4	"	"	Eliza Worrell	47	5	438 8	12	52 61	10 89	63 53	42 55	3 26	0 693
N pt 4	"	"	"	11	9 4	70	12	8 40	1 74	6 70	6 70	50	0 357
E pt 5	"	"	Mrs. C. F. Parks	60 6	5	514 6	12	65 31	13 50	78 81	52 56	4 04	0 668
S pt 5	"	"	Jno. Hutton	30 6	9	256 6	12	30 78	6 36	37 14	21 76	1 90	0 623
C e pt 6	"	"	Judson A. Patton	30	8 5	252 6	12	30 30	6 27	36 57	24 58	1 88	0 627
N e pt 6	"	"	J. Churchill	38	8 5	313 6	12	37 62	7 78	45 40	30 26	2 33	0 611
N e pt 6, 8	"	"	"	57 6	8 3	400	12	55 20	11 42	66 62	41 42	3 43	0 5965
W pt 2	East	"	F. P. Scratch A Co.	56 6	8	353 8	12	43 16	8 93	52 09	34 73	2 63	0 72
W pt 2	"	"	Samuel Metcalf	69 4	9 9	600	12	72 00	14 89	86 89	57 93	4 45	0 641
E pt 2	"	"	"	74	8 8	296	12	35 52	7 35	42 87	28 58	2 21	0 298
23	West	Ramsay	Chris. McLennan	139	4	556	12	66 72	13 79	80 51	53 68	4 43	0 238
4	East	"	James Campeau	128	4	512	12	61 41	12 71	74 15	49 41	3 81	0 298
W pt 25	West	Bathurst	Christ Church	76	4	304	12	36 48	7 54	44 02	29 35	2 25	0 298

E pt 25, w	West ...	"	4	1144	12	137 28	28 39	165 67	110 45	8 48	0 298
pt 26, ...	East ...	"	4	568	12	68 16	14 69	82 25	54 84	4 22	0 298
12 5	West ...	Apsley ...	4	1 6	12	18 72	3 87	22 59	15 06	1 15	0 298
W pt 26	West ...	Lalange Estate	39	6 6	12	23 40	4 81	28 24	18 83	1 28	0 493
1 C pt 26	"	"	30	5 6	12	61 62	12 74	74 36	49 58	3 81	0 483
E pt 26	"	W. T. Hunt	79	5 6	12	28 80	5 96	34 76	23 18	1 78	0 298
C pt 24	East ...	J. Proudfoot	60	4	240	12	38 40	46 34	30 89	2 37	0 298
E pt 5	West ...	Daniel Gerard	80	4	320	12	7 35	41 31	29 51	2 23	0 298
E pt 24	West ...	"	4	306	12	36 72	7 44	42 41	28 29	2 17	0 298
W pt 5	East ...	Mary Gerard	75	4	300	12	33 60	41 55	27 70	2 13	0 298
E pt 22	West ...	Thos. H. Kelfage	71	4	280	12	6 65	41 13	27 42	2 11	0 298
W pt 22	"	Chas. H. Kemp	71	4	284	12	34 08	41 13	27 42	2 11	0 298
3	East ...	H. H. Cunningham	145	4	572	12	68 64	82 84	55 23	4 25	0 298
E pt 6	West ...	D. I. Teeter	173 3	4	693	12	83 16	100 35	66 90	5 11	0 298
25	West ...	Apsley ...	200	4	800	12	96 00	115 85	77 23	5 94	0 298
W pt 6	East ...	Bathurst	61	4	244	12	29 28	35 34	23 48	1 80	0 298
6	"	"	60	4	240	12	28 80	34 76	23 18	1 78	0 298
N pt 5	"	Felix Graveline	25	4	100	12	12 60	14 48	9 66	7 4	0 298
8 pt 5 & 4	"	Alex. Reanne	95	4	380	12	45 60	55 63	36 69	2 52	0 298
N pt 2 & 3	"	Jos. Leunay	92	4	368	12	44 16	53 29	35 58	2 76	0 298
S pt 2	"	G. N. Dem-sun	80	4	320	12	11 40	17 38	11 59	89	0 298
1	"	Frank Boulford	82	4	328	12	39 36	46 50	31 00	3 38	0 298
17	North	Hiram Sterling	61	4	244	12	29 28	35 33	23 58	1 82	0 298
19 & 20	"	G. N. Deneau	118	4	472	12	16 64	69 34	46 22	3 35	0 298
21	"	Alfred McRae	60	4	240	12	28 80	34 76	23 17	1 78	0 298
22	"	Jos. J. McSpaden	61	4	244	12	29 28	35 34	23 56	1 82	0 298
22 & 24	"	Richard Brett	121	4	484	12	58 08	70 08	46 72	3 59	0 298
23	"	Hinnas Lukes	61	4	244	12	29 28	35 33	23 55	1 82	0 298
25	"	Alex. Pric	60	4	240	12	28 80	34 76	23 17	1 78	0 298
26	"	Lottie Brown	60	4	240	12	28 80	34 76	23 17	1 78	0 298
27	"	M. Graveline	60	4	240	12	28 80	34 76	23 17	1 78	0 298
28	"	Mrs. Jno. Anderson	60	4	240	12	28 80	34 76	23 17	1 78	0 298
29	"	David M. Kemp	60	4	240	12	28 80	34 76	23 17	1 78	0 298
18	"	Jno. Riley	60	4	240	12	28 80	34 76	23 17	1 78	0 298
S pt 16	"	Mrs. Terrell Cadout	60	4	240	12	28 80	34 76	23 17	1 78	0 298
S pt 30	"	Mrs. Fox	61	4	244	12	29 28	35 34	23 56	1 82	0 298
9	West ...	Wm. Fox	88 6	8 6	752 6	12	90 30	100 31	66 87	5 14	0 581
N & s pt 1	"	M. Twomey	107 6	5	537 6	12	61 50	71 65	47 76	3 60	0 339
N pt 3	"	Waterworks	95	5	475	12	57 00	53 32	35 54	2 70	0 339

1	2	3	4	5	6	7	8	9	10	11	12	13	14
Lot or part of lot.	Side of street.	Street.	Person assessed.	Feet frontage.	Width of walk.	Total square feet.	Price per foot.	Cost.	Interest on temporary loans and other expenses.	Total cost.	Am't assessable on lots, being 1/2 of total cost.	Annuity for 20 years.	Annual rate per foot frontage.
								c. %	c. %	c. %	c. %	c. %	c. %
S e pt 2	West	Dalhousie	Ano. R. Park	70.6	5	352.6	12	42.30	4.69	46.99	31.33	2.59	0.339
N e pt 2	"	"	Henry Clay	90	5	450	12	54.00	5.99	59.99	40.00	3.13	0.339
S e pt 3	"	"	Esrias Fox	40	5	200	12	24.00	2.66	26.66	17.78	1.40	0.339
" A	"	"	Jones Estate	146	5	730	12	87.60	9.70	97.30	64.87	4.99	0.339
N pt 4	"	"	"	45	5	225	12	27.00	2.99	29.99	20.00	1.54	0.339
S e pt 4	"	"	J. A. Auld	78.6	5	392.6	12	47.10	5.30	52.40	34.93	2.84	0.339
S e pt 5	"	"	W. H. McEvoy	90	5	450	12	54.00	5.99	59.99	40.00	3.08	0.339
N pt 5	"	"	"	"	5	"	"	"	"	"	"	"	"
S pt 6	"	"	C. J. L. McLeod	188	5	940	12	112.80	12.50	125.30	83.53	6.40	0.339
N pt 6	"	"	"	"	5	"	"	"	"	"	"	"	"
7	"	"	Mrs. Margaret Menzies	110	5	550	12	66.00	7.32	73.32	48.88	3.75	0.339
13	"	"	Wm. H. Elliott	102	5	510	12	61.20	6.79	67.99	45.33	3.47	0.339
12	East	Apsley	J. B. Filhon	61.6	5	307.6	12	36.90	4.09	40.99	27.33	2.10	0.339
11	"	"	Mrs. Susan Brown	61	5	305	12	36.60	4.05	40.65	27.10	2.07	0.339
10	"	"	Mrs. E. Halchthaler	61	5	305	13	36.69	4.05	40.74	27.10	2.07	0.339
10	"	"	Cameron Estate	61.6	5	307.6	12	36.90	4.09	40.99	27.33	2.10	0.339
W pt 27	West	Seymore	Mrs. Eliz. Bunk	41.4	5	206.8	12	24.80	2.75	27.55	18.37	1.41	0.339
E pt 27	"	"	"	97	8	776	12	93.12	10.33	108.45	72.30	5.30	0.546
W pt 10	East	"	Colin Wigley	66	4	264	12	31.68	3.51	35.19	23.46	1.80	0.273
E pt 10	"	"	James Allen	66	4	264	12	31.68	3.51	35.19	23.46	1.80	0.273
W pt 29	West	King	Wm. Borowman	30	4	120	12	14.40	1.60	16.00	10.67	0.81	0.273
E pt 29	"	"	Eliz. Borowman	101	4	404	12	48.48	5.38	53.86	33.91	2.74	0.273
E pt 19	"	Bathurst	Susan Everett	61.10	4	244	12	29.28	2.24	32.52	21.68	1.64	0.273
20	"	"	Mary A. Hamilton	60	4	240	12	28.80	3.18	31.98	21.32	1.65	0.273



21.....	West	Richmond	4	162	12	19 44	2 15	21 59	14 39	1 10	0 273
22.....	West	Rankin ave	4	228	12	39 36	4 36	43 72	29 15	2 25	0 273
23.....	West	Rankin ave	4	243.4	12	23 20	3 24	32 44	21 63	1 64	0 273
E pt 24 ..	West	Richmond	4	290	12	34 80	3 86	38 66	25 77	1 98	0 273
1 .....	North	Richmond	4	366	12	43 92	4 87	48 79	32 53	2 43	0 273
S pt 45 . . }	South	Rankin ave	4	1066	12	127 92	14 19	147 11	98 08	7 12	0 273
S pt 44 . . }	South	Rankin ave	4	226	12	27 12	3 00	30 12	20 08	1 52	0 273
N pt 45 . . }	North	Rankin ave	4	118	12	26 16	2 90	29 06	19 37	1 99	0 273
N pt 30 ..	North	Rankin ave	4	352	12	42 24	4 70	46 94	31 29	2 40	0 273
N pt 30 ..	North	Rankin ave	4	360	12	43 20	4 79	47 99	31 96	2 46	0 273
15.....	South	North	4	722	12	80 61	9 60	96 24	64 16	4 93	0 273
32A.....	East	Sandwich	5	450	11	49 30	5 49	54 99	36 66	2 82	313
Pt A pt 32 ..	East	Sandwich	5	315	11	34 65	3 84	38 49	25 66	1 97	313
" 32 ..	East	Sandwich	5	322.6	11	35 48	3 93	39 41	26 27	2 02	313
" 32 ..	East	Sandwich	5	276	11	30 36	3 57	33 75	22 45	1 73	313
" 33 ..	East	Sandwich	5	617.6	11	67 93	7 53	75 46	50 31	3 87	313
" 32 ..	East	Sandwich	5	330	11	36 31	4 06	40 37	26 91	2 07	313
" 32 ..	East	Sandwich	5	297.6	11	32 73	3 66	36 39	24 26	1 87	313
" 32 ..	East	Sandwich	5	390	11	61 91	7 20	72 10	48 07	3 70	313
Pt 2.....	East	Sandwich	5	405	11	44 55	4 94	49 49	32 99	2 73	313
Lot 3.....	East	Sandwich	5	430	11	47 39	5 24	52 54	35 03	2 69	313
Lots 4 & 5 ..	East	Sandwich	5	825	11	90 75	10 06	100 81	67 21	5 18	313
" 6, 7, 8, 9 ..	East	Sandwich	5	1650	11	181 51	20 16	201 67	134 45	10 33	313
Lot 10.....	East	Sandwich	5	835	11	91 82	10 13	102 65	68 63	5 23	313
" 12.....	East	Sandwich	5	420	11	46 21	5 12	51 33	31 92	2 63	313
" 13.....	East	Sandwich	5	400	11	44 91	4 88	48 89	32 59	2 50	313
" 14.....	East	Sandwich	5	425	11	46 75	5 18	51 93	34 62	2 66	313
S pt 15 ..	East	Sandwich	5	207.6	11	22 82	2 53	25 35	16 90	1 29	313
N pt 15 ..	East	Sandwich	5	217.6	11	23 93	2 65	26 58	17 72	1 36	313
" 15 ..	East	Sandwich	5	425	11	46 75	5 18	51 93	34 62	2 66	313
Lot 16.....	East	Sandwich	5	673	11	63 12	7 00	70 12	46 74	3 59	313
S pt 3, blk 2 ..	East	Sandwich	5	305	11	33 53	3 72	37 27	24 85	1 91	313
S pt 3, blk 3 ..	East	Sandwich	5	305	11	33 53	3 72	37 27	24 81	1 91	313
Lot 17.....	East	Sandwich	5	300	11	33 00	3 65	36 65	24 43	1 88	313

## SIDEWALKS.—Continued.

1	2	3	4	5	6	7	8	9	10	11	12	13	14
Lot or part of Lot.	Side of street.	Street	Person assessed.	Feet frontage.	Width of walk.	Total square feet.	Price per foot.	Cost.	Interest on temporary loans and other expenses.	Total cost.	Amount assessable on lots, being of total cost.	Amnity for 20 years.	Annual rate per foot frontage.
								%	%	%	%	%	%
Pt. C, pt. 3, B. 3	East	Sandwich	Jno. R. Park	60	5	300	11	33 00	3 65	36 65	24 43	1 88	.313
"	"	"	Henry Campbell	60	5	300	11	33 00	3 65	36 65	24 43	1 88	.313
"	"	"	Eli. Renaud	60	5	300	11	33 00	3 65	36 65	24 43	1 88	.313
"	"	"	January Graveline	60	5	300	11	33 00	3 65	36 65	24 43	1 88	.313
"	"	"	Ann Carney	60	5	300	11	33 00	3 65	36 65	24 43	1 88	.313
"	"	"	Geo. Bailey	60	5	300	11	33 00	3 65	36 65	24 43	1 88	.313
N w pt. 3, S pt. 49	"	"	Jno. Westaway	161	5	805	11	88 55	9 82	98 37	65 78	5 04	.313
"	"	"	Albert Haines	144	5	720	11	79 20	8 78	87 98	58 66	4 51	.313
"	"	"	A. Gathfield	824	5	4114	11	45 24	5 02	50 26	33 50	2 57	.313
"	"	"	Wm. Howe	63	5	315	11	34 65	3 84	38 49	25 66	1 97	.313
C pt. 49	"	"	Elien Campean	125	5	625	11	68 74	7 63	76 37	50 92	3 90	.313
C pt. 49	"	"	Patrick Navin	61	5	305	11	33 54	3 74	37 28	24 85	1 90	.313
C pt. 49	"	"	Norvell Estate	59	5	295	11	32 44	3 60	36 04	24 93	1 87	.313
C pt. 49	"	"	Henry West	68	5	340	11	37 40	4 14	41 54	27 69	2 19	.313
N w pt. 49, N pt. 7	"	"	Julia Peacock	70	5	350	11	38 50	4 26	42 76	28 50	2 19	.313
"	South	Gore	Mrs. Lucinda Brush	41	4	564	11	62 04	6 88	68 92	45 95	3 55	.2503
E pt. 28	"	"	J. D. Park	51	4	204	11	23 76	2 63	26 39	17 60	1 35	.2503
E pt. 28	"	"	Elizabeth Burk	88	6 1/2	603	11	66 11	7 33	73 44	48 96	3 76	.1272
Lot 9	"	"	Jas. Vigar	321	5 1/2	178	11	19 58	2 17	21 75	14 50	1 11	.3433
"	"	"	"	101 1/2	4	407	11	44 77	4 96	49 73	33 15	2 55	.2503
30, 31	"	"	Parish Hall	131	4	524	11	57 64	6 39	64 03	42 69	3 28	.2503
9, 10	"	"	Jno. B. Ribidoux	132	4	528	11	58 08	6 44	64 52	43 02	3 31	.2503



SIDEWALKS—Continued.

1	2	3	4	5	6	7	8	9	10	11	12	13	14
Lot or part of Lot.	Side of street.	Street.	Person assessed.	Feet frontage.	Width of walk.	Total square feet.	Price per foot.	Cost.	Interest on ten- per cent loans and other expenses.	Total cost.	Amount assessable on lots, being 2/3 of total cost.	Annuity for 20 years.	Annual rate per foot frontage.
Pt C 10,	South	Murray	Jos. J. Brault	36	7	252	11	27 72	3 07	30 79	20 53	1 98	0.4388
pt C 11,	"	"	Thad. J. Harris	37	6 1/2	250	11	27 50	3 05	30 55	20 36	1 57	0.4243
E pt 10, 11	"	"	Alex. Boufford	33	4	132	11	14 52	1 61	16 13	10 76	83	0.2503
W pt 20	"	"	Zoe	104	4	428	11	47 08	5 22	52 30	34 86	2 67	0.2503
E pt 20	"	"	Jno. B. Fillion	136	4	544	11	59 84	6 62	66 46	44 30	3 41	0.2503
Lot 13	"	"											
W pt 22, 23,	"	"	Simon Bertrand	93	4	372	11	40 92	4 53	45 45	30 30	2 33	0.2503
pt 22, 23	"	"	Jos. Dodson	46	4	184	11	20 24	2 23	22 47	14 98	1 15	0.2503
E pt 22	"	"	Parish Hall	120	4	480	11	52 80	5 83	58 63	39 10	3 00	0.2503
30, 31	West	King	Wm. Edwards	60	4	240	11	26 40	2 93	29 33	19 55	1 50	0.2503
32	"	"	Gilbert Morin	59	4	236	11	25 96	2 87	28 83	19 22	1 46	0.2503
33	"	"	Archange Grenier	58	4	232	11	25 52	2 83	28 35	18 90	1 45	0.2503
34	"	"	Julia Biron	60	4	240	11	26 40	2 93	29 33	19 55	1 50	0.2503
35	"	"	Matilda Morin	65 1/2	4	262	11	28 82	3 20	32 02	21 35	1 64	0.2503
36	"	"	Andrew Bellecove	61	4	244	11	26 84	2 98	29 82	19 88	1 53	0.2503
37	"	"	Mrs. F. C. Robbins	148	4	592	11	65 12	7 22	72 34	48 22	3 70	0.2503
38, 39	"	"	Jno. B. Rebloux	123 1/2	4	493	11	54 25	6 02	60 25	40 16	3 09	0.2503
9, 10	East	"	Watson Artis	59	4	236	11	25 96	2 87	28 83	19 22	1 48	0.2503
N pt 8	"	"	Solomon King	60	4	240	11	26 40	2 93	29 33	19 55	1 50	0.2503
7	"	"	Christian Cote	62	4	248	11	27 28	3 02	30 30	20 20	1 55	0.2503
6	"	"	Geo. Rebloux	61	4	244	11	26 84	2 98	29 82	19 88	1 53	0.2503
5	"	"	Alex. Bertrand	61	4	244	11	26 84	2 98	29 82	19 88	1 53	0.2503
36	"	"											
N pt 4	"	"				254	11	26 84	2 98	29 82	19 88	1 53	0.2503

1, 2 A, 3	"	"	North	"	"	4	680	11	74 80	8 29	83 09	55 40	4 29	0 2503
Lot 8	"	"	Park	"	"	4	244	11	26 84	2 98	29 82	19 88	1 53	0 2503
E pt 7	"	"	"	"	"	4	121	11	13 31	1 48	14 79	9 86	76	0 2503
W pt 7	"	"	"	"	"	4	121	11	13 31	1 48	14 79	9 86	76	0 2503
Pt 5	"	"	"	"	"	4	243	11	26 73	2 96	29 69	19 80	1 52	0 2503
Pt Berezny 5	"	"	"	"	"	4	250	11	27 50	3 04	30 54	20 36	1 55	0 2503
S pt 4	"	"	"	"	"	4	236	11	25 76	2 85	28 54	19 23	1 48	0 2503
Lot 2	"	"	"	"	"	4	234	11	25 74	2 85	28 59	19 06	1 47	0 2503
Lot 3	"	"	"	"	"	4	172	11	18 92	2 10	21 02	14 00	1 07	0 2503
Pt Berezny A	"	"	"	"	"	4	332	11	36 52	4 05	40 57	27 05	2 08	0 2503
Lot 6, 116 7	"	"	South	"	"	4	502	11	55 25	6 12	61 34	40 90	3 14	0 2503
" 5	"	"	"	"	"	4	240	11	26 40	2 93	29 33	19 55	1 50	0 2503
" 4	"	"	"	"	"	4	244	11	26 81	2 98	29 82	19 88	1 53	0 2503
E pt 19	"	"	West	"	"	8	263 1/2	11	29 63	3 29	32 92	21 95	1 68	0 50
Lot 18	"	"	"	"	"	4	345	11	37 95	4 20	42 15	28 10	2 16	0 2503
" 17	"	"	"	"	"	4	250	11	27 50	3 05	30 55	20 36	1 57	0 2503
E pt 16	"	"	"	"	"	4	243	11	26 73	2 96	29 69	19 80	1 52	0 2503
W pt 14	"	"	East	"	"	5	297 1/2	11	32 75	3 63	36 36	24 24	1 86	0 3115
W pt 15	"	"	"	"	"	5	300	11	33 00	3 66	36 66	24 41	1 85	0 3115
Lot 16	"	"	"	"	"	5	307 1/2	11	33 83	3 75	37 58	25 05	1 92	0 3115
" 17	"	"	"	"	"	5	305	11	33 55	3 72	37 27	24 85	1 91	0 3115
" 31	"	"	West	"	"	4	464	11	51 03	5 66	56 69	37 80	2 91	0 2503
N pt 30	"	"	"	"	"	4	524	11	57 61	6 35	64 03	42 69	3 28	0 2503
S pt 30	"	"	"	"	"	4	253	11	27 83	3 09	30 92	20 60	1 58	0 2503
S pt 28	"	"	"	"	"	4	238	11	26 18	2 90	29 08	19 39	1 49	0 2503
S pt 27	"	"	"	"	"	4	125	11	13 75	1 52	15 27	10 18	7 8	0 2503
S pt 27 1/2	"	"	"	"	"	12 1/2	346	11	38 06	4 22	42 28	28 19	2 17	0 7843
E pt 26	"	"	"	"	"	4	372	11	40 92	4 54	45 46	30 30	2 33	0 2503
Lot 25	"	"	"	"	"	4	240	11	26 40	2 93	29 33	19 56	1 50	0 2503
" 24	"	"	"	"	"	4	250	11	27 50	3 04	30 54	20 36	1 58	0 2503
N pt 25	"	"	"	"	"	4	244	11	26 84	2 98	29 82	19 88	1 58	0 2503
S pt 23	"	"	"	"	"	4	232	11	25 52	2 83	28 35	18 90	1 45	0 2503
S pt 22	"	"	"	"	"	4	248	11	27 38	3 03	30 31	20 20	1 67	0 2503
Lot 21	"	"	"	"	"	4	154	11	16 94	1 88	18 82	12 55	96	0 3785
S pt 20	"	"	"	"	"	5 1/2	154	11	16 94	1 88	18 82	12 55	96	0 3785
E pt 20	"	"	"	"	"	5 1/2	154	11	16 94	1 88	18 82	12 55	96	0 3785

SIDEWALKS.—Continued.

1	2	3	4	5	6	7	8	9	10	11	12	13	14
Lot or part of lot.	Side of street.	Street.	Person assessed.	Feet frontage.	Width of walk.	Total square feet.	Price per foot.	Cost.	Interest on temporary loans and other expenses.	Total cost.	Amount assessable on lots, being of total cost.	Amnity for 20 years.	Annual rate per foot frontage.
				¢	¢	¢	¢	\$	%	%	%	%	%
14.....	South ..	Park ..	Henry Marten ..	58.6	5 1/2	235.7	11	25.91	1.00	26.91	17.93	1.38	0.3785
13.....	" ..	" ..	Mrs. Alex. Pirie ..	48.4	5 1/2	233.3	11	25.66	.99	26.65	17.77	1.37	0.3785
12.....	" ..	" ..	Eli Morin ..	61.3	5 1/2	245	11	26.93	1.05	27.98	18.64	1.45	0.3785
11.....	" ..	" ..	Alex. Bonnett ..	13.85	5 1/2	238.7	11	26.23	1.03	27.26	18.16	1.40	0.3785
10.....	" ..	" ..	Mrs. Jas. Caldwell ..	58.4	5 1/2	233.3	11	25.64	.99	26.63	17.75	1.36	0.3785
9 .....	" ..	" ..	Mrs. C. Tremier ..	58.3 1/2	5 1/2	233.2	11	25.64	.99	26.63	17.75	1.36	0.3785
8 .....	" ..	" ..	Fred. Maloney ..	58.3	5 1/2	233	11	25.64	.99	26.63	17.75	1.36	0.3785
13.....	North ..	" ..	J. P. Duke ..	62.6	5 1/2	250	11	27.50	1.06	28.56	19.04	1.46	0.3785
12.....	" ..	" ..	Geo. R. Park ..	57	5 1/2	248	11	26.08	.85	25.93	17.29	1.32	0.3785
11.....	" ..	" ..	Robt. Hamilton ..	59.7	5 1/2	238.3	11	26.20	1.02	27.22	18.15	1.39	0.3785
10.....	" ..	" ..	Robt. Sawyer ..	58.10	5 1/2	235.4	11	25.90	.99	26.89	17.92	1.38	0.3785
9 .....	" ..	" ..	Wm. McFaire ..	58	5 1/2	232	11	25.52	.99	26.51	17.67	1.37	0.3785
8 and 9 ..	East.....	Bathurst.....	" ..	98	4	392	11	43.12	1.08	44.80	29.86	2.29	0.3785
A43 Berezay ..	" ..	" ..	Jno. R. Menzies ..	58.11	4	235.7	11	25.92	1.00	26.92	17.95	1.38	0.2503
A44 Berezay ..	" ..	" ..	Jas. Witherspin ..	58.11	4	235.7	11	25.92	1.00	26.92	17.95	1.38	0.2503
9 .....	" ..	" ..	St. Andrew's Church	108.4	4	433.3	11	47.66	1.84	49.50	33.00	2.54	0.2503
1 .....	" ..	" ..	Mrs. Hardie ..	86.2	4	344.6	11	37.90	1.47	39.37	26.25	2.02	0.2503
8 pt 2 .....	" ..	" ..	Mrs. Lambert ..	31.4	4	155.3	11	13.76	.54	14.30	9.53	.73	0.2503
N pt 2 .....	" ..	" ..	Capt Girardin ..	29.6	4	118	11	12.98	.89	13.48	8.99	.69	0.2503
3 .....	" ..	" ..	Zedelia King ..	59.6	4	238	11	26.18	1.01	27.19	18.12	1.39	0.2503
4 .....	" ..	" ..	Capt. Trotter ..	61.4	4	245.3	11	26.98	1.06	28.04	18.69	1.43	0.2503
5 .....	" ..	" ..	Mrs. Alexander ..	59.2	4	238.4	11	26.19	1.01	27.20	18.12	1.39	0.2503
13 and 14 ..	" ..	Ramsay ..	Eche Publishing Co.	121.11	4	287.6	11	53.64	2.09	55.73	37.15	2.86	0.2503
12 .....	" ..	" ..	Jno Dineen ..	39.10	4	159.2	11	17.50	.67	18.07	12.11	.93	0.2503

11	.....	29.2	4	80.6	11	8 87	34	9 21	6 14	47	0.2503
11	.....	61.6	5 7	353.6	11	38 89	1 52	40 41	26 94	2 08	0.3372
10	.....	58.3	5 7	233	11	25 61	1 36	26 59	17 73	1 36	0.3372
9	.....	60.8	5 7	243.6	11	26 79	1 03	27 82	18 55	1 42	0.2563
8	.....	60.8	4	242.6	11	26 69	1 03	27 82	18 55	1 42	0.2263
7	.....	59.9	1	239	11	26 29	1 02	27 31	18 21	1 40	0.2563
6	.....	59.2	4	236.6	11	26 02	1 00	27 02	18 01	1 38	0.2563
5	.....	92.10	4	371.6	11	40 88	1 68	42 56	28 37	2 18	0.2563
4	.....	60	4	2.40	11	26 40	1 02	27 42	18 18	1 40	0.2563
3	.....	87.9	4	3.51	11	38 61	1 49	40 10	26 73	2 05	0.2563
1	.....	120.6	4	120.6	11	13 20	52	13 72	9 14	70	0.2563
Pt 2	.....	30	4	333.6	11	36 69	1 42	38 11	25 40	1 95	0.2563
Pt 2	.....	83.5	4	235.3	11	25 88	1 0	26 88	17 98	1 38	0.2563
2	.....	58.10	4	241.3	11	26 54	1 02	27 56	18 38	1 31	0.2563
2	.....	60	4	240	11	26 40	1 02	27 42	18 28	1 40	0.2563
1	.....	55	4	220	11	24 20	94	25 14	16 76	1 29	0.2563
1	.....	98.8	4	394.6	11	43 49	1 68	45 09	30 06	2 31	0.2563
22	.....	89.8	4	358.6	11	39 43	1 52	40 96	27 30	2 10	0.2563
21	.....	59.11	4	239.6	11	26 33	1 02	27 35	18 24	1 40	0.2563
S pt 20	.....	31.3	4	125	11	13 75	53	14 28	9 52	73	0.2563
N pt 20	.....	30.3	5.9	173.9	11	19 12	74	19 86	13 24	1 02	0.3372
19	.....	6.1	6.7	408.1	11	44 88	1 74	46 62	31 08	2 39	0.3406
18	.....	61.7	4	246.3	11	27 09	1 05	28 14	18 76	1 44	0.2563
17	.....	56.8	6.7	365.7	11	40 22	1 56	41 78	27 85	2 14	0.3542
15 and 16	.....	114.9	6.8	757.7	11	83 34	3 22	86 56	57 70	4 48	0.379
14, pt 13	.....	72.2	4	291.11	11	32 11	1 24	33 35	22 24	1 71	0.2213
N pt 13	.....	2.4	1.3	357.3	11	39 30	1 52	40 82	27 22	2 09	0.4219
8	.....	49.11	7.2	840.5	11	92 44	3 58	96 02	64 01	4 97	0.3949
E pt 8 & 17	.....	117.5	7.2	268.3	11	29 50	1 15	30 65	20 44	1 57	0.3949
10	.....	36	7.7	273.6	11	74 58	2 89	77 47	51 64	4 00	0.2948
W pt 19	.....	45	6.1	114.1	11	25 90	1 00	26 50	17 97	1 38	0.3401
	.....	18.3	6.3	290.6	11						
	.....	72.8	4	235.6	11						
	.....	40.5	5.10								

SIDEWALKS.—Continued.

1	2	3	4	5	6	7	8	9	10	11	12	13	14
Lot or part of lot.	Side of street.	Street.	Person assessed.	Feet frontage.	Width of walk.	Total square feet.	Price per foot.	Cost.	Interest on temporary loans and other expenses.	Total cost.	Amount assessable on lots being	Annuity for 20 years.	Annual rate per foot frontage.
E pt 19	South	Murray	Eliza O'Madden	47.2	4	188.6	11	20 74	80	21 54	14 36	1 10	0.2503
E pt 19	"	"	"	47.5	4.5	208.6	11	22 94	89	23 83	15 89	1 23	0.2594
E pt 18	North	"	Wm. Caldwell	67.2	4.10	322.4	11	35 46	1 38	36 84	24 56	1 89	0.2813
E pt 18	"	"	Colin Wigley	33.1	8.10	298.8	11	32 85	1 27	34 12	22 75	1 75	0.521
W pt 18	"	"	Powell Estate	33.1	8.10	291	11	32 00	1 24	33 24	22 16	1 73	0.521
E pt 10	"	"	M. Lawlor	39.1	5.7	218	11	23 98	93	24 91	16 62	1 28	0.3275
W pt 10	"	"	Mrs. Jas. Turville	94.4	5.6	471.6	11	51 87	2 00	53 87	35 91	2 76	0.3115
9	"	"	Mrs. Horsman	134.2 less 34.7	5.6	702.7	11	77 28	2 99	80 27	53 51	4 17	0.3111
W pt 16	"	"	J. H. G. Leggatt	11.8	5.3	61.2	11	6 73	26	6 99	4 66	36	0.3085
W pt 16	"	"	Jos. Reame, less	13.11	8.4	102.9	11	17 90	69	18 59	12 40	95	0.5205
Pt 16	"	"	J. H. C. Leggatt	1.8	1.5		11						
E pt 16	"	"	(Jos. Pigot)	45.1	8.4	374.8	11	41 21	1 50	42 80	28 54	2 15	0.477
E pt 19	"	"	J. H. C. Leggatt	60.7	9.11	539.7	11	65 95	2 55	68 49	45 66	3 52	0.581
E pt 19	East	Seymore	Thos Harris	60.2	4	240.7	11	26 47	1 02	27 50	18 32	1 40	0.2503
16, 17 & 18	"	"	Ezekil Stevens	179.10	4	719.2	11	79 11	3 06	82 17	54 78	4 22	0.2503
15	"	"	Hubert Sharpe	61.4	4	245.3	11	26 98	1 03	28 01	18 66	1 43	0.2503
N pt 14	"	"	Mrs. Walsh	29.5	4	117.6	11	12 93	50	13 43	8 96	88	0.2503
S pt 14	"	"	Peter Mero	31.2	4	124.6	11	13 71	53	14 24	9 50	72	0.2503
13	"	"	W. Anderson	59.4	4	237.3	11	26 10	1 01	27 11	11 08	1 39	0.2503
12	"	"	Ezekil Stevens	60.3	4	241	11	26 51	1 02	27 53	18 38	1 42	0.2503



N pt 11	"	"	"	"	4	124.6	11	13 71	53	14 24	9 50	72	0.2503
S pt 11	"	"	"	"	4	128.3	11	14 11	54	14 65	9 76	74	0.2503
10	"	"	"	"	4	359	11	39 49	1 53	41 02	28 35	2 10	0.2503
9	"	"	"	"	5,5	109.9	11	12 08	48	12 56	8 36	64	0.3117
N pt 8	"	"	"	"	4	155	11	17 05	67	17 72	11 82	90	0.2503
S pt 8	"	"	"	"	4	118.6	11	13 05	52	13 57	9 03	68	0.2503
6 and 7	"	"	"	"	4	121.6	11	13 37	53	13 90	9 26	72	0.2503
5	"	"	"	"	4	176.6	11	52 42	2 03	54 45	36 30	2 79	0.2503
4	"	"	"	"	4	248.3	11	27 31	1 05	28 37	18 90	1 43	0.2503
3	"	"	"	"	4	240	11	26 40	1 03	27 43	18 28	1 40	0.2503
2	"	"	"	"	4	240	11	26 40	1 02	27 42	18 28	1 40	0.2503
1	"	"	"	"	4	237.3	11	25 88	1 90	26 88	17 90	1 37	0.2503
H	North	"	"	"	4	232	11	25 52	99	26 51	17 68	1 34	0.2503
30	"	"	"	"	4	524.6	11	57 71	2 25	59 96	39 97	3 07	0.2503
S w pt 9	"	"	"	"	4	522.3	11	57 45	2 23	59 68	39 78	3 05	0.2503
S e pt 9	"	"	"	"	4	413.3	11	45 46	1 75	47 22	30 46	2 32	0.2503
28	"	"	"	"	4	99	11	10 89	4 3	11 32	7 53	3 08	0.2503
N w pt 8	"	"	"	"	4	524.3	11	57 67	2 25	59 92	39 94	3 08	0.2503
S w pt 8	"	"	"	"	5	257.9	11	28 36	1 10	29 46	19 61	1 53	0.3115
S w pt 8	"	"	"	"	5,6	225.9	11	24 83	96	25 79	17 20	1 33	0.2925
5, 6 and 7	"	"	"	"	5	170.10	11	18 80	7 3	19 53	13 00	9 9	0.3115
5, 6 and 7	"	"	"	"	5	608.3	11	65 90	2 58	69 48	46 32	3 55	0.3115
4	"	"	"	"	9,8	596.9	11	63 64	2 54	68 18	45 46	3 50	0.369 6
3	"	"	"	"	5	304	11	33 44	1 29	34 73	23 16	1 78	0.3115
3	"	"	"	"	5,6	330.8	11	36 37	1 35	37 72	25 14	1 93	0.3207
Total								12,256 88	1,357 81	13,614 70	9,076 43	697 86	

PARK STREET SEWER AND EXTENSIONS.

1	2	3	4	5	6	7	8	9
No. of Lot.	Side of street.	Street.	Persons assessed.	Feet frontage.	Cost per foot.	Total cost.	Annuity for 20 years.	Annual rate per foot frontage.
Pt 3.	West	Dalhousie	Walker & Sons	125	0.99295	124 12	9 54	0.076333
Pt 3.	"	"	Jason W. Palford	50	0.99295	49 66	3 82	0.076333
Pt 1.	North	Park	George Middle ditch	85.2	0.99295	84 57	6 50	0.076333
Pt 2.	"	"	Frances Bailey	42 8	0.99295	42 37	3 25	0.076333
Pt 3.	"	"	George Gott, jr	59	0.99295	58 58	4 50	0.076333
Pt 4.	"	"	James Turville	58.4	0.99295	57 92	4 45	0.076333
Pt 5.	"	"	Ann Turville	61.9	0.99295	61 32	4 71	0.076333
Pt 6.	"	"	David Trotter	60.3	0.99295	59 82	4 60	0.076333
Pt 7.	"	"	Frank Steffers	30.5	0.99295	30 28	4 33	0.076333
Pt 7.	"	"	John Anderson	30.4	0.99295	30 12	2 30	0.076333
E pt 7.	"	"	James Jarmen	60.7	0.99295	60 07	4 60	0.076333
E pt 8.	"	"	Wm. McGuire	58.2	0.99295	57 76	4 44	0.076333
9.	"	"	Robert Sawyer	58.5	0.99295	58 08	4 46	0.076333
10.	"	"	Robert Hamilton	59.4	0.99295	58 92	4 53	0.076333
11.	"	"	John R. Park	57.6	0.99295	57 09	4 39	0.076333
12.	"	"	J. R. Duke	62	0.99295	61 56	4 83	0.076333
13.	"	"	James Wilderspin	57.3	0.99295	56 86	4 37	0.076333
41.	West	Apsley	"	57.3	0.99295	56 86	4 37	0.076333
42.	"	"	"	60	0.99295	59 58	4 58	0.076333
13.	South	Simeoe	Sarah Bruce	120	0.99295	119 15	9 16	0.076333
14 and 15	"	"	Alf. Palford	58	0.99295	57 59	4 43	0.076333
16.	"	"	Simon Fraser	57	0.99295	56 60	4 35	0.076333
17.	"	"	Theodore Young	57	0.99295	56 60	4 35	0.076333
18.	"	"	"	84.9	0.99295	84 16	6 47	0.076333
18.	"	Park	George Middle ditch	84.9	0.99295	84 16	6 47	0.076333

2	"	"	"	George Middelditch	84.9	0.99295	84.16	6.47	0.076333
3	"	"	"	Wm. Sparks	88.6	0.99295	87.88	6.76	0.076333
4	"	"	"	H. Hamilton	60.8	0.99295	60.23	4.63	0.076333
5	"	"	"	Ida Hackett	59.8	0.99295	59.25	4.55	0.076333
6	"	"	"	A. H. Clarke	62.10	0.99295	62.39	4.80	0.076333
7	"	"	"	"	62.3	0.99295	61.81	4.75	0.076333
8	South	Park	"	F. J. Maloney	58	0.99295	57.59	4.43	0.076333
9	"	"	"	Caroline Greiner	58	0.99295	57.59	4.43	0.076333
10	"	"	"	Wm. Ja Roy	58.4	0.99295	57.92	4.45	0.076333
11	"	"	"	Alex. Barrett	59.9	0.99295	59.45	4.57	0.076333
12	"	"	"	Eli Morn	57.4	0.99295	56.93	4.38	0.076333
14	North	"	"	Andrew Anderson	60.5	0.99295	60.07	4.62	0.076333
39	East	Apsley	"	Jas. Allen	57.8	0.99295	57.26	4.10	0.076333
40	"	"	"	Jno. Ryan	60.6	0.99295	60.07	4.62	0.076333
14	North	Simcoe	"	Jno. Thrasher	60	0.99295	59.58	4.58	0.076333
1	East	Apsley	"	Simon Fraser	81.9	0.99295	81.15	6.47	0.076333
35	North	Simcoe	"	Core Alkin	81.9	0.99295	81.15	6.47	0.076333
1	"	"	"	W. Minkler	101	0.99295	103.27	7.91	0.076333
39	"	"	"	Mrs. Frank Robbins	97.6	0.99295	96.90	7.45	0.076333
1	"	"	"	D. Mongeau	90.9	0.99295	90.10	6.93	0.076333
W pt 40	"	"	"	Mrs. Herbert West	65	0.99295	64.54	4.96	0.076333
E pt 40	"	"	"	Jas. Gaudin	65	0.99295	64.54	4.96	0.076333
19	South	"	"	Pat. Lafferty	58	0.99295	57.59	4.44	0.076333
20	"	"	"	Mr. Ber	60	0.99295	59.58	4.58	0.076333
21	"	"	"	Peter Feundy	60	0.99295	59.58	4.58	0.076333
22	"	"	"	Mrs. Kate Williams	60	0.99295	59.58	4.58	0.076333
23	"	"	"	Prior Wilson	60	0.99295	59.58	4.58	0.076333
24	"	"	"	Ona Jones	59.4	0.99295	58.90	4.53	0.076233
25	"	"	"	Clarence Smith	59	0.99295	58.58	4.50	0.076333
26	"	"	"	"	59.6	0.99295	59.08	4.54	0.076333
27	"	"	"	"	60	0.99295	59.58	4.58	0.076333
2	East	Scymore	"	Laurent Robidoux	58.9	0.99295	58.33	4.48	0.076333
3	"	"	"	Capt. John Duncanson	60	0.99295	59.58	4.58	0.076333
4	"	"	"	Julie Turner	60	0.99295	59.58	4.78	0.076333
5	"	"	"	William Wilcox	62.6	0.99295	62.06	4.77	0.076333
6	"	"	"	Antoine Anlin	58.9	0.99295	58.34	4.48	0.076333
7	"	"	"	"	60.6	0.99295	60.07	4.62	0.076333
8	pt 8	"	"	Peter Hancock, sr	31	0.99295	30.78	2.37	0.076333
N pt 8	"	"	"	S. McDowell	29	0.99295	28.80	2.22	0.076333

PARK STREET SEWER AND EXTENSIONS.—Continued.

1	2	3	4	5	6	7	8	9
No. of Lot.	Side of street.	Street.	Persons assessed.	Feet Frontage.	Cost per foot.	Total cost.	Annuity for 20 Years.	Annual rate per Foot Frontage.
					%	£	%	%
9	East	Seymore	Fred Curtis	59	0.99295	58.58	4.50	0.076333
28 and N pt 29	West	"	Elizabeth Park	80.6	0.99295	79.93	6.11	0.076333
S pt 29	"	"	F. A. Hough	39	0.99295	38.73	2.7	0.076333
30	"	"	Fred Brown	60.9	0.99295	60.32	4.64	0.076333
N pt 31	"	"	Henry Langlois	37	0.99295	36.71	2.82	0.076333
S pt 31	"	"	Jos. Richard	23	0.99295	22.81	1.77	0.076333
32	"	"	Antoine Amlin	60	0.99295	59.58	4.58	0.076333
N pt 33	"	"	Regal Thompson	31.6	0.99295	31.27	2.39	0.076333
S pt 33	"	"	Julia Turner	30.6	0.99295	30.28	2.32	0.076333
34	"	"	Elizabeth Park	59.6	0.99295	59.08	4.54	0.076333
Pt 30 and 31	"	King	St. Jean Baptiste Society	118	0.99295	117.17	9.01	0.076333
32	"	"	Dr. Edwards	60	0.99295	59.58	4.58	0.076333
33	"	"	Galbert Morin	58	0.99295	57.59	4.43	0.076333
34	"	"	Arelange Gernier	57.59	0.99295	57.59	4.43	0.076333
35	"	"	Julia Biron	59.6	0.99295	59.08	4.54	0.076333
36	"	"	Mrs. M. Morin	65.5	0.99295	65.00	5.00	0.076333
37	"	"	Andrew Belcoure	60.6	0.99295	60.08	4.62	0.076333
38 and 39	"	"	Mrs. F. Robbuis	87.6	0.99295	86.88	6.68	0.076333
1, 2 and 3	East	"	David Mongeau	111	0.99295	110.22	8.63	0.076333
4	"	"	Alex. Bertrand	60.4	0.99295	59.61	4.58	0.076333
5	"	"	Geo. Robidoux	61	0.99295	60.57	4.66	0.076333
6	"	"	Mrs. Horace Gote	62	0.99295	61.56	4.73	0.076333
7	"	"	Solomon Roy	60	0.99295	59.58	4.58	0.076333
8	"	"	Church and Watson Curtis	57.9	0.99295	57.34	4.42	0.076333

9 and 10	West	George	Jos. Robidoux	120.9	0.99295	119.90	9.22	0.076333
25	West	George	Johnson Estate	60.6	0.99295	60.07	4.62	0.076333
26	West	George	Monroe Estate	62.6	0.99295	62.06	4.77	0.076333
27 and 28	West	George	Baptiste Church	118	0.99295	117.17	9.02	0.076333
29 and 30	West	George	Adella Desjippe	154	0.99295	152.91	11.76	0.076333
31 and 32	West	George	Wm. Monroe	89.6	0.99295	88.89	6.83	0.076333
8 pt 32	West	George	Francis Primeau	30.6	0.99295	30.28	2.33	0.076333
33	West	George	Mrs. H. Aikman	60	0.99295	59.58	4.58	0.076333
34	West	George	Wm. Munroe	63.9	0.99295	63.24	4.85	0.076333
35	West	George	Mrs. Arsene Rieliard	61	0.99295	60.57	4.66	0.076333
36	West	George	Alex. Bertrand, jun	62	0.99295	61.36	4.73	0.076333
37	West	George	W. Vevey	30.3	0.99295	30.03	2.20	0.076333
N pt 38	West	George	Jno. Foster	30.3	0.99295	30.03	2.20	0.076333
38	West	George	Jno. W. Stokes	60	0.99295	59.58	4.58	0.076333
39	West	George	Jas. Dolson	67	0.99295	66.53	5.50	0.076333
40	West	George	Jas. Grouhin	57	0.99295	56.60	4.25	0.076333
1	East	Peopry	Mrs. Celia Gott	43	0.99295	42.70	3.28	0.076333
S pt 1	North	Peopry	do	45	0.99295	44.70	3.28	0.076333
N pt 1	East	George	Arthur Harris	62	0.99295	61.56	4.73	0.076333
2	East	George	Wm. Bradford, jun	62	0.99295	61.56	4.73	0.076333
3	East	George	Wm. Bradford, jun	66	0.99295	65.63	4.14	0.076333
8 pt 4	East	George	Wm. Bradford, sen	59.3	0.99295	58.00	2.69	0.076333
5	East	George	Albert Wilson	29.3	0.99295	29.01	2.23	0.076333
N pt 4	East	George	Mr. Brakenbridge	59	0.99295	58.60	4.70	0.076333
5	East	George	Mr. Graham	62	0.99295	61.56	4.73	0.076333
6	East	George	Jno. Wesley	59.9	0.99295	59.33	4.56	0.076333
7	East	George	Geo. Crawford	60.9	0.99295	60.32	4.64	0.076333
8	East	George	do	45.6	0.99295	44.98	3.64	0.076333
S pt 9	East	George	Dan. Bonford	45.6	0.99295	44.98	3.64	0.076333
N pt 9	East	George	Jno. Cooper	67	0.99295	62.76	4.80	0.076333
10	East	George	Louis Chambeus	60	0.99295	59.58	4.58	0.076333
11	East	George	Louis Leves	60.9	0.99295	60.31	4.64	0.076333
12	East	George	Primeau Bros	31.6	0.99295	32.07	2.47	0.076333
8 pt 13	East	George	Remi Primeau	28.6	0.99295	28.10	2.16	0.076333
N pt 13	East	George	David Smith	61.6	0.99295	60.87	4.68	0.076333
14	East	George	Jno. D. Brown	61.6	0.99295	60.87	4.68	0.076333
							5,715.63	571.76
Town's share being cost of culverts and other work necessary for street surface drainage and cost of drains opposite street intersections and properties exempt from special local assessment							5,319.45	255.19

Town's share being cost of culverts and other work necessary for street surface drainage and cost of drains opposite street intersections and properties exempt from special local assessment

DALHOUSIE STREET SEWERS.

1	2	3	4	5	6	7	8	9
No. of Lots.	Side of street.	Street.	Persons assessed.	No. of feet Frontage.	Cost per foot Frontage.	Total cost.	Annuity for 20 years.	Annual rate per foot Frontage.
pt 15	East	Dalhousie	Fisher estate	126	0.68445	86.24	6.63	0.05262
pt 15	"	"	Jno. Anld	50	0.68445	31.22	2.63	0.05262
pt 30	"	"	Adolphe Bezano	30	0.68445	61.00	4.74	0.05262
pt 30	"	"	Wm. Fox	89	0.68445	60.92	4.69	0.05262
3t 45	"	"	Wm. Brownman	54	0.68445	39.96	2.85	0.05262
pt 45	"	"	Jno. R. Park	58	0.68445	39.69	3.06	0.05262
pt 8	"	"	Julia W. Wilkinson	165	0.68445	112.93	8.68	0.05262
pt 7	West	"	Andrew Green	169	0.68445	115.67	8.89	0.05262
pt 7	"	"	Margaret Menzie	110	0.68445	75.29	5.79	0.05262
pt 776	"	"	Jas. McLeod	89	0.68448	60.92	4.69	0.05262
pt 5	"	"	W. H. McEvoy	93	0.68448	63.65	4.89	0.05262
pt 4 and 5	"	"	Jones Estate	42	0.68448	28.75	2.22	0.05262
pt 4	"	"	Jno. Anld.	79	0.68448	54.07	4.16	0.05262
pt 3 and 4	"	"	Jones Estate	167	0.68448	114.30	8.78	0.05262
pt 3	"	"	Estias Fox	40	0.68448	27.38	2.10	0.05262
pt 2 and 3	"	"	Henry Clay	91	0.68448	62.29	4.79	0.05262
pt 2	"	"	Jno. R. Park	70	0.68448	47.92	3.68	0.05262
pt 1 and 2	"	"	Michael Twomey	109	0.68448	74.60	5.72	0.05262
pt 1	"	"	Post Office	86	0.68448	58.86	4.52	0.05262
						1 216.26	93.51	
						633.74	48.72	

Town's share, being cost of culverts and other work necessary for street surface drainage, and cost of drains opposite street intersections and properties exempt from special local assessment



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4th Session 9th Legislature,  
1 Edward VII, 1901.

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BILL.

An Act respecting the Town of Amherst-  
burg.

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First Reading                      1901.

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(Private Bill.)

MR. AYLD.

TORONTO

PRINTED BY L. K. CAMERON,  
Printer to the King's Most Excellent Majesty.



An Act respecting the Town of Collingwood and the  
Cramp Ontario Steel Company.

WHEREAS, the Municipal Corporation of the Town of  
Collingwood has by petition represented that by an  
agreement bearing date the 5th day of March, A.D., 1900, and  
made between the Town of Collingwood and Charles D. Cramp  
and John Allister Currie (such agreement having been assigned  
5 by the said Cramp and Currie to the Cramp Ontario Steel  
Company, Limited), the said Cramp and Currie and their  
assigns agreed to cause to be constructed, equipped and operated  
within the Town of Collingwood a blast furnace with all  
10 necessary steel furnaces and rolling mills for the manufacture  
of iron and steel plates, structural shapes, rails and ingots,  
capable of turning out at least 200 tons of finished merchant-  
able product per day, such works to be of modern design and  
substantial character, and to be fully equipped with all neces-  
15 sary machinery, plant, furnaces, stack heating ovens, blow  
engines, boilers, pumps, buildings, wharves and premises for  
the proper operation thereof, and to employ at the said town  
in the operation thereof not less than 600 men continuously,  
and to invest not less than \$700,000 in the establishment of  
20 the said plant and machinery; that the said municipal cor-  
poration in and by the said agreement agreed to assist the said  
enterprise by granting a cash bonus of \$115,000, a free site on  
the water front of fifty acres of land, including water lots ad-  
jacent, and a frontage on the lake shore where at least 800 feet  
25 of docks can be erected, with a uniform depth of 18 feet of  
water, together with certain privileges as to taxation and as-  
sessment more fully set forth in the said agreement, and the  
said municipal corporation further agreed to furnish 18 feet  
of water along any docks which may be erected in connection  
30 with the said lands and works, and also furnish a channel of  
the depth of 18 feet; that the said Cramp Ontario Steel  
Company, Limited, is desirous of not being restricted to the  
classes of product set forth in the first clause of such agree-  
ment to be manufactured by them, but wish to have the right  
35 of manufacturing any other iron and steel finished product in  
addition to or substitution for the classes of product set forth  
in Clause 1 of the said agreement. That under the said  
agreement, as at present constituted, the said municipal cor-  
poration might become liable to very heavy expense in dredg-  
40 ing a channel with 18 feet of water to the docks of the said

company and in furnishing 18 feet of water along said docks, there being nothing in said agreement specifying how far out or into what depth of water the said company shall build their docks; that the time for issuing the debentures to raise the said bonus of \$115,000 expires on the 30th day of April next 5 (1901), but that the said company will not be entitled to payment of the said bonus for some two or three years, and it is desirable in order not to have the said moneys in hand unused and uninvested for such a period, that the time for issuing and paying the said debentures should be enlarged for a period of 10 five years, but so that the last debenture shall not extend over a longer period than thirty years from the time the first debenture becomes due and payable; that the said municipal corporation and the said Cramp Ontario Steel Company, Limited, has agreed to vary the first clause of the said agree- 15 ment by permitting the said company to manufacture any other iron and steel finished product in addition to or substitution for those classes of product specifically set forth in Clause I of the said agreement, the quantity of product to be manufactured and the number of men to be employed to be not 20 in any wise lessened by this variation of the said agreement, and the said company has agreed to build its docks into sufficient depth of water to permit of obtaining a depth of 18 feet of water immediately in front thereof without any rock excavation being necessary to be done by the said municipal cor- 25 poration, provided the necessary water lots can be obtained from the Crown for that purpose, and the said municipal corporation therefore prays that an Act may be passed authorizing the said corporation to vary the said agreement accordingly and to extend the time for the issue and payment of the 30 said debentures for a period of five years; and whereas it is expedient to grant the prayer of the said petition:—

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows: 35

Agreement between town and company varied.

1. That it shall be lawful for the municipal corporation of the town of Collingwood with the agreement and consent of the said Cramp Ontario Steel Company, Limited, to vary or amend the said agreement entered into between the said town and Charles D. Cramp and John Allister Curry by striking 40 out the first clause thereof and substituting in the room and stead thereof the words and figures following, that is to say: 1. "The parties of the first part, their heirs, executors, administrators or assigns will cause to be constructed, equipped and operated within the municipality of the town of Colling- 45 wood, a blast furnace with all necessary steel furnaces and rolling mills for the manufacture of iron and steel plates, structural shapes, rails and ingots or any other iron and steel finished product, capable of turning out at least two hundred tons of finished merchantable product per day, such works to 50 be of modern design and substantial character and to be fully

equipped with all necessary machinery, plant, furnaces, stack, heating ovens, blow engines, boilers, pumps, buildings, wharves and premises, for the proper operation thereof, and the parties of the first part will employ at the said town in the operation of the said plant not less than six hundred men continuously and the said parties of the first part will invest not less than the sum of \$700,000 in the establishment of the said plant and machinery," and by further amending the said agreement by adding to clause 5 thereof the words and figures following that is to say:—"The said parties of the first part agreeing that they will build their docks out into sufficient depth of water to permit of obtaining a depth of 18 feet of water immediately in front thereof without any rock excavation being necessary to be done by the said corporation providing the necessary water lots can be obtained from the crown for that purpose."

2. That the time for the issue of the said debentures shall be extended for a period of five years from the 9th day of April, 1900 and By-law No. 551 of the said municipal corporation legalized by an Act of the Provincial Legislature passed in the 63rd year of Her late Majesty's reign chapter 65, is hereby amended by adding after the figures \$125,000 in the first clause thereof the words "at any time the same may be required within five years from the date of the passing of this by-law" and by striking out the figures "1901" in the 6th line of the said Clause 1 of said by-law and substituting therefor the figures "1905" and by striking out the figures "1901" in Clause 3 thereof and substituting the figures "1905,"

3. In all other respects the said agreement and by-law are hereby ratified and confirmed, except as may be agreed between the town and the company.

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No. 110.

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4th Session, 9th Legislature,  
1 Edward VII, 1901.

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BILL.

An Act respecting the Town of Collingwood  
and The Grand Ontario Steel Co.

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First Reading,                 , 1901.

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(Private Bill).

MR. DUFEY,

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

An Act respecting the Town of Collingwood and the  
Cramp Ontario Steel Company.

WHEREAS, the Municipal Corporation of the Town of Collingwood has by petition represented that by an agreement bearing date the 5th day of March, A.D., 1900, and made between the Town of Collingwood and Charles D. Cramp and John Allister Currie, the said agreement being set out as Schedule "A" to the Act passed in the 63rd year of the reign of Her late Majesty Queen Victoria, chaptered 65, the said Cramp and Currie and their assigns agreed to cause to be constructed, equipped and operated within the Town of Collingwood a blast furnace with all necessary steel furnaces and rolling mills for the manufacture of iron and steel plates, structural shapes, rails and ingots, capable of turning out at least 200 tons of finished merchantable product per day, such works to be of modern design and substantial character, and to be fully equipped with all necessary machinery, plant, furnaces, stack heating ovens, blow engines, boilers, pumps, buildings, wharves and premises for the proper operation thereof, and to employ at the said town in the operation thereof not less than 600 men continuously, and to invest not less than \$700,000 in the establishment of the said plant and machinery; that the said municipal corporation by the said agreement agreed to assist the said enterprise by granting a cash bonus of \$115,000, a free site on the water front of fifty acres of land, including water lots adjacent, and a frontage on the lake shore where at least 800 feet of docks can be erected, with a uniform depth of 18 feet of water, together with certain privileges as to taxation and assessment more fully set forth in the said agreement, and the said municipal corporation further agreed to furnish 18 feet of water along any docks which may be erected in connection with the said lands and works, and also furnish a channel of the depth of 18 feet, that the said Charles D. Cramp and John Allister Currie have assigned all their interest in the said agreement to the Cramp Ontario Steel Company, Limited, and that the said company is desirous of not being restricted to the classes of product set forth in the first clause of such agreement to be manufactured by them, but wishes to have the right of manufacturing any other iron and steel finished product in addition to or substitution for the classes of product set forth in Clause 1 of the said agreement; that under the said

agreement, as at present constituted, the said municipal corporation might become liable to very heavy expense in dredging a channel with 18 feet of water to the docks of the said company and in furnishing 18 feet of water along said docks, there being nothing in said agreement specifying how far out or into what depth of water the said company shall build their docks; that the time for issuing the debentures to raise the said bonus of \$115,000 expires on the 30th day of April, 1901, but that the said company will not be entitled to payment of the said bonus for some two or three years, and it is desirable in order not to have the said moneys in hand unused and uninvested for such a period, that the time for issuing and paying the said debentures should be enlarged for a period of five years, but so that the last debenture shall not extend over a longer period than thirty years from the time the first debenture becomes due and payable; that the said municipal corporation and the said company, have agreed to vary Clause 7 of the said agreement by permitting the said company to manufacture any other iron and steel finished product in addition to or substitution for those classes of product specifically set forth in the said clause of the said agreement, the quantity of product to be manufactured and the number of men to be employed to be not in any wise lessened by this variation of the said agreement, and the said company has agreed to build its docks into sufficient depth of water to permit of obtaining a depth of 18 feet of water immediately in front thereof without any rock excavation being necessary to be done by the said municipal corporation, provided the necessary water lots can be obtained from the Crown for that purpose, and the said municipal corporation therefore prays that an Act may be passed authorizing the said corporation to vary the said agreement accordingly and to extend the time for the issue and payment of the said debentures for a period of five years; and whereas it is expedient to grant the prayer of the said petition:—

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Agreement between town and company varied.

1. It shall be lawful for the Municipal Corporation of the Town of Collingwood<sup>227</sup> to agree with<sup>228</sup> the said Cramp Ontario Steel Company, Limited, to vary or amend the said agreement entered into between the said<sup>229</sup> municipal corporation<sup>230</sup> and Charles D. Cramp and John Allister Curry<sup>231</sup> in the following particulars:—(a)<sup>232</sup> by striking out Clause<sup>233</sup> 7 of the said agreement<sup>234</sup> and substituting in the room and stead thereof the words and figures following, that is to say:

1. "The parties of the first part, their heirs, executors administrators or assigns will cause to be constructed, equipped and operated within the Municipality of the Town of Collingwood, a blast furnace with all necessary steel furnaces and rolling mills for

the manufacture of iron and steel plates, structural shapes, rails and ingots or any other iron and steel finished product, capable of turning out at least two hundred tons of finished merchantable product per day, such works to be of modern design and substantial character and to be fully equipped with all necessary machinery, plant, furnaces, stack, heating ovens, blow engines, boilers pumps, buildings, wharves and premises, for the proper operation thereof, and the parties of the first part will employ at the said town in the operation of the said plant not less than six hundred men continuously and the said parties of the first part will invest not less than the sum of \$700,000 in the establishment of the said plant and machinery."

and (b) by adding to Clause 5<sup>33</sup> of the said agreement ~~the~~ the words and figures following that is to say:

"The said parties of the first part agreeing that they will build their docks out into sufficient depth of water to permit of obtaining a depth of 18 feet of water immediately in front thereof without any rock excavation being necessary to be done by the said corporation, providing the necessary water lots can be obtained from the Crown for that purpose."

2. The time for the issue of the said debentures shall be extended for a period of five years from the 9th day of April, 1900 and By-law No. 551 of the said municipal corporation ~~is~~ set forth as Schedule "B" to the said Act ~~is~~ passed in the 63rd year of *the reign of Her late Majesty* <sup>33</sup> Queen Victoria, ~~is~~ chaptered 65, is amended by adding after the figures \$125,000 in Clause 1 thereof the words "at any time the same may be required within five years from the date of the passing of this by-law" and by striking out the figures "1901" in the 6th line of Clause 1 of *the* said by-law and substituting therefor the figures "1905," and by striking out the figures "1901" in Clause 3 thereof and substituting the figures "1905."

Time for issue  
of debentures  
extended.

No. 110.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

An Act respecting the Town of Collingwood  
and The Grand Ontario Steel Co.

First Reading, 14th March, 1901.

*(Reprinted as amended by Private Bills  
Committee.)*

MR. DUFE

TORONTO :

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.



An Act allowing Municipalities to adopt Proportional Representation.

WHEREAS it is expedient to enable certain cities, towns, villages and townships to adopt proportional representation for the election of aldermen and councillors:

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be known and cited as *The Proportional Representation Act*, 1901. Short title.

2. In every city, town, village and township where the council is elected by a general vote, the council of such city, town, village or township may pass a by-law providing for the adoption of proportional representation in the election of aldermen of such city, or councillors of such town, village, or township, by any method that is based upon the principle of an electoral quota: the said quota being found by dividing into the number of valid votes the number of councillors or aldermen to be elected, ignoring fractions, if any; but such by-law before the final passing thereof, shall receive the assent of the electors of the municipality in the manner provided for in section 338 and following sections of *The Municipal Act*. By-law for adoption of proportional representation  
Rev. Stat. c. 223.

3. Any council providing by such by-law for the said elections upon said principle of proportional representation shall adopt the system of voting by ballot and all other provisions of the said *Municipal Act* for the election of such aldermen and councillors, so far as the same can be made for the purpose operative; and it shall be competent for the said council in their said by-law to supplement the said provisions by such further directions and provisions as may be found desirable and necessary efficiently to carry out the method adopted for electing such aldermen or councillors in accordance with said principle of proportional representation. Provisions of by-law

4. It shall be competent for any such council by such by-law to provide for vacancies as follows: Filing vacancies.

(a) A vacancy may be filled or left unfilled.

(b) A vacancy may be filled by declaring elected the candidate who at the last general election received the highest number of votes next after the elected candidate receiving the lowest number of votes.

(c) Other vacancies may be filled in like manner by taking 5 the candidates in the order of their number of votes from the remaining highest to lowest.

(d) Or vacancies may be filled by a new election for the whole city, town, village or township.

Electing  
single officers.

5. Any municipal council may, whether adopting propo- 10  
tional representation or not, provide by by-law for the use at  
the election of any municipal officer such as mayor, warden,  
reeve, councillor or alderman, wherein only one office is to be  
filled and wherein only one candidate can be elected, of a  
preferential ballot that will enable, in the event of more than 15  
two candidates running for such office, electors to designate  
their choice not only by marking their ballot for the candidate  
firstly desired and the elector's first choice, but in such a way  
as to designate second and subsequent choices, in the alter-  
native event of the first choice having been unsuccessful; and 20  
for such purpose may provide for the utilization of such votes  
cast for an unsuccessful candidate by a re-distribution of them  
after dropping such candidate in process of counting, after the  
manner of the Hare-Spence system or such other system as  
may be deemed by said council most effectual for the purpose. 25

Initiative by  
petition

6. In case a petition signed by five per cent. of the qualified  
municipal electors of any city, town, village or township, the  
aldermen or councillors of which are elected by a general vote,  
is presented to the council of such city, town, village or town-  
ship, asking that a by-law be submitted for the adoption of 30  
proportional representation or of preferential balloting as set  
forth in the preceding sections of this Act, it shall be the duty  
of such council to submit such by-law accordingly; and the  
said council shall forthwith prepare a by-law in accordance  
with the prayer of the petition and shall submit the same to 35  
the electors of the municipality in the manner provided in sec-  
tion 338 and following sections of *The Municipal Act*.



No. 111.

4th Session, 9th Legislature,  
1 Edward VII, 1901.

BILL.

An Act allowing Municipalities to adopt  
Proportional Representation.

First Reading, 4th March, 1901.

Mr. RUSSELL.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

## An Act to amend The Municipal Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :—

1. (1) Except in the case of towns withdrawn from the  
5 county, the county council of any county or union of counties upon the application of the owner or owners of lands wholly used for farming purposes lying within the limits of any town or incorporated village situate in the county may by by-law withdraw such lands, or any portion thereof, from the said  
10 town or village, and annex the same to some adjoining municipality, upon such terms as may have been agreed upon between the council of such adjoining municipality and that of the said town or village and the owners of the said lands, or in case of dispute upon such terms as may have been deter-  
15 mined by the county judge, whose award shall be final.

Separating  
farm lands  
from towns  
and villages.

(2) The by-law shall define, by metes and bounds the new  
limits intended for such town or village, but the town or  
village shall not by such change of boundaries be reduced in  
population below the number of 750 souls.

New limits to  
be defined.

No. 112.

4th Session, 9th Legislature,  
1 Edward VII, 1901.

BILL

An Act to amend The Municipal Act.

First Reading, 4th March, 1901.

MR. RICHARDSON.

TORONTO.

PRINTED BY L. K. CAMERON.

Printer to the King's Most Excellent Majesty.

## An Act respecting Technical Schools.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. The trustees of any high school or any board of education may by resolution passed at a special meeting called for the purpose (of which at least one month's notice shall be given in writing to each member thereof) establish a technical school. Establishment of technical schools by high school boards
2. Any high school already established may, by resolution of any high school board, be changed into a technical school, providing that such resolution shall not take effect until ratified by a by-law of each municipality composing the high school district and also by the county council (if any) required by *The High Schools Act*, to contribute the equivalent of the 15 legislative grant towards the maintenance of such high school. Changing high schools into technical schools.
3. It shall be lawful for the trustees of any high school or board of education to provide instruction in the arts and sciences usually taught in technical schools, but particularly such arts and sciences as relate to the industries of the province, the marketable value of the raw material used in manufactures, the chemistry of foods, dyes and minerals. Instruction shall also be given in agriculture and domestic science and in architecture, mechanical drawing and decorative design, and such other related subjects as may be found necessary to render the labours of the farmer, the mechanic and the artisan more productive. The buildings to be used for technical school purposes shall be separate distinct from the buildings used for high school purposes. Any pupil not entitled to be admitted to a high school shall not be entitled to admission to any technical school established as herein provided. Technical instruction provided by high school boards.
4. The provisions of *The High School Act* shall apply to technical schools, subject to any regulations of the education department with respect to the fees to be paid by pupils, the course of study, the qualifications of teachers, the use of text books and the equipment of the school. High School act to apply to technical schools subject to regulations of department, R.S.O. 1897, c. 301, s. 3, amended.

Establishment  
of technical  
schools for  
adults in cities  
and towns.

5. It shall be lawful for the municipal corporation of any city or town by by-law to appropriate such sum of money as may be deemed expedient for the establishment of a technical school for adults within the meaning of this Act. All the powers vested in the corporation by *The Municipal Act*, for the purchase or expropriation of lands or for leasing or repairing buildings or for the erection of new buildings for the use of the municipality, shall be applicable to this Act. 5

Board of man-  
agement, how  
constituted.

6. In any city or town where a technical school has been established or may hereafter be established under this Act, the board of management shall consist as follows: The board of trade and the trades and labour council of such city or town shall each annually elect two members. The members so chosen together with the high school board or the board of education of such city or town shall be the technical school board of such city or town and shall have the control and management of such technical school. 15

(2) Provided that any technical school already established under by-law of a municipality may be carried on under such by-law during the pleasure of the municipal council subject to the regulations of the education department. 20

Board to be a  
corporation.

7. Such technical school board shall be a corporation by the name of the Technical School Board, (prefixing to said term the name of the municipality for which such technical school is established) and shall have and possess all the powers usually enjoyed by corporations so far as same are necessary for carrying out the purposes of this Act. 25

Term of office

8. The members of every technical school board shall hold office until their successors are appointed and a new member is organized. 30

Vacancies,  
how filled.

9. Vacancies arising from the death, resignation or removal from the municipality for which such school is established shall be filled forthwith by the body having the right of appointment and the person appointed to fill such vacancy shall hold office only for the unexpired term of the person whose place has become vacant. 35

Property,  
how to be  
held.

10. All property heretofore granted, devised or acquired or which may hereafter be so granted, devised or acquired in any municipality and vested in any person or persons or corporation for Technical School purposes or which may hereafter be so granted, devised or acquired shall be deemed to have been vested absolutely in the technical school board of such municipality for the purposes of this Act and the board shall have full power to convey, sell, transfer or lease such property upon the adoption of a resolution by the board that such property is no longer required for technical school 45



purposes and the proceeds of such sale, transfer or lease shall be applied for the use of such technical school.

11. The board shall have the power to appoint such teachers, officers and servants as may be necessary for the purposes of the school, to fix their salaries and to assign them their several duties. For the payment of the salaries of the teachers, officers and servants, and for all other purposes of maintenance the municipality shall have power to appropriate out of the general income of the municipality from any source whatever, such sums of money as the municipality may by by-law determine. The expenditure of the board of management shall be subject to the same audit as the expenditures of the municipality.

12. The qualifications of the teachers employed in technical schools for adults, and all matters relating to the course of study and the equipment of the school shall be subject to the regulations of the education department.

13. Any technical school board may with the approval of the Minister of Education sell, transfer or lease any site or other property vested in them as a corporation and after making provision for all debts and liabilities of the corporation apply the residue of the proceeds of such sale, transfer or lease to any purpose that may be approved by the Minister of Education and on such sale, transfer or lease and disposition of assets as aforesaid, the Lieutenant-Governor-in-Council may by proclamation in *The Ontario Gazette* declare such corporation dissolved and determined.

14. Sections 18 to 20 of *The High Schools Act* shall apply to the settlement of claims for land selected for a technical school site.

15. Chapter 301 of the Revised Statutes of Ontario, 1897, is hereby repealed.

Powers of board.

Expenses.

Regulations of education department.

Transfer of property with consent of Minister.

Rev. Stat. c. 293, ss. 18-20 to apply.

Rev. Stat. c. 301, repealed.

No. 113.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

An Act respecting Technical Schools.

First Reading, 4th March, 1901.

MR. HARGREVE.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

## An Act to amend The Municipal Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. The paragraph numbered 14 of section 583 of *The Municipal Act* is amended by inserting after the word "animal" in the fourth line the words "soliciting the sale of any goods, wares or merchandise from samples or otherwise for future delivery or" Rev. Stat. c. 223, s. 583, par. 14 amended. Hawkers and pedlars
2. The second part of the said paragraph of the said section is amended by inserting after the word "for" in the first line thereof the word "soliciting." Rev. Stat. c. 223, s. 583, par. 14 amended.
3. Clause (a) of the said paragraph 14 is amended by inserting after the word "being" in the second line thereof the words "persons not resident within the county or." Rev. Stat. c. 223, s. 583, par. 14 amended.

No. 114.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

An Act to amend The Municipal Act.

First Reading, 6th March, 1901.

MR. TICKER.

TORONTO:

PRINTED BY L. K. CAMERON.

Printer to the King's Most Excellent Majesty.

## An Act to amend The Municipal Act.

HIS MAJESTY, by and with the advice and consent of the  
Legislative Assembly, enacts as follows:—

1. Section 557 of *The Municipal Act* is amended by adding  
the following sub-section thereto:—
- 5     3. For making annual or other grants of money to the  
          owners or trustees of cemeteries situated within  
          the municipality or any other municipality.
- Rev. Stat.  
c. 223, s. 557,  
amended.  
Grants to  
cemetery  
trustees.

No. 115.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

An Act to amend The Municipal Act.

First Reading, 6th March, 1901.

MR. DICKENSON.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

An Act to amend The Mechanics' and Wage-Earners' Lien Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows.—

1. Sub-section 1 of section 22 of the *Mechanics' and Wage-Earners' Lien Act* is hereby amended by striking out the words "thirty days" and substituting thereof the words "sixty days." Rev. Stat. c. 153, s. 22, sub-s. 1 amend-d.

2. This Act shall not apply to extend the time for registering a claim for lien in or apply to any case in which the time for registering the same expired before the passing of this Act. When time for registering lien has already expired.

No. 116.

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4th Session, 9th Legislature,  
1 Edward VII., 1901.

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BILL.

An Act to amend The Mechanics and Wage  
earners Lien Act.

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First Reading, 6th March, 1901.

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Mr. LEYS.

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TORONTO:

PRINTED BY L. K. CAMERON,  
Printer to the King's Most Excellent Majesty.



No. 117.]

# BILL.

[ 1901.

## An Act to amend The Municipal Act.

**H**IS MAJESTY, by and with the advice and consent of the  
Legislative Assembly of Ontario, enacts as follows:—

Section 73 of *The Municipal Act* is hereby amended, by inserting after the words "councillors" in the second line thereof Rev. Stat.  
c. 223, s. 73.  
5 the words "who shall be designated as first, second, third, and amended  
fourth councillors."

No. 117.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

An Act to amend The Municipal Act.

First Reading, 6th March, 1901.

Mr. DUFE.

TORONTO:

PRINTED BY L. K. GAMMON.

Printer to the King's Most Excellent Majesty.

## An Act to amend The Public Schools Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Sub-section 1 of section 34 of *The Public Schools Act* is hereby repealed and the following substituted therefor:

(1). A school site shall not be selected in a township within one hundred yards of any garden, orchard, pleasure ground or dwelling house without the consent of the owner thereof.

Rev. Stat.  
c. 292, s. 34,  
subs. 1 re-  
pealed.

Restrictions  
upon selection  
of school site.

2. Sub-section 4 of section 62, of the said Act is amended by adding thereto the following words, viz.: "but (in the case of rural schools) before the trustees proceed to build a new school building, the proposed plans and specifications thereof shall first be submitted to and ratified by a majority of the ratepayers of such school section present at a meeting thereof duly convened for that purpose."

Rev. Stat.  
c. 292, s. 62,  
subs. 4  
amended.

Ratification of  
school plans  
by ratepayers.

No. 118.

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4th Session, 9th Legislature,  
1 Edward VII., 1901.

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BILL.

An Act to amend The Public Schools Act.

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First Reading, 6th March, 1901.

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Mr. MALCOLM.

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TORONTO:

PRINTED BY L. K. CAMERON,  
Printer to the King's Most Excellent Majesty.

An Act to amend the Law respecting Vaccination and Inoculation.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. *The Act respecting Vaccination and Inoculation*, is Rev. Stat. c. 249 amended by adding thereto the following sections :

20. No parent or other person having the care, nurture or custody of any child shall be liable to any penalty under this Act, if he appears before any justice of the peace, and makes an affidavit that he conscientiously believes that vaccination would be prejudicial to the health of the child, and upon his making such affidavit the justice of the peace shall give to the parent or other person having the care, nurture or custody of the child, a certificate that he has made such affidavit, and such certificate shall be received in lieu of any certificate that the child has been vaccinated, provided for in this Act.

21. In the event of a proclamation being made under this Act for enforcing vaccination, or revaccination of all persons resident in any municipality, then,

(a) No person who is over the age of eighteen years shall be liable to any penalty under said Act, if he or she within seven days after receiving notice of said proclamation appears before a justice of the peace and makes an affidavit that he or she conscientiously believes that vaccination will be prejudicial to his or her health and upon such affidavit being made and upon request the said justice of the peace shall give a certificate that such affidavit has been made, and such certificate shall be taken in lieu of the certificate of vaccination required by this Act.

(b) No parent or other person having the care, nurture or custody of any child under the age of eighteen years shall be liable to any penalty under this Act, if within seven days after receiving notice of said proclamation he appears before a justice of the peace and makes an affidavit that he conscientiously believes that vaccination will be prejudicial to the health of the child, then upon such affidavit being made and upon request the said justice of the peace shall give a certifi-

is Rev. Stat. c. 249 amended.

Declaration of persons objecting to vaccination.

Procedure by persons objecting when proclamation has been issued.

cate that such affidavit has been made, and such certificate shall be taken in lieu of the certificate of vaccination required by said Act.

Form of affidavit and certificate.

22. The affidavit and certificate may be in the form set out in the schedule hereto, and the justice of the peace shall be entitled to receive a fee of fifty cents for taking such affidavit and granting the certificate. 5

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No. 119.

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4th Session, 9th Legislature,  
1 Edward VII., 1901.

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BILL.

An Act to amend the Law respecting Vaccination and Inoculation.

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First Reading, 6th March, 1901.

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Mr. HULL.

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TORONTO.

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.



## An Act to amend The Ontario Election Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :—

1. Subsection 2 of section 167 of *The Ontario Election Act* is amended by inserting after the word "name" in the sixth line of the said subsection the words "or who procures an appointment as deputy returning officer by false pretence, deceit or other improper means, or who acts as deputy returning officer without lawful authority."
2. Section 112 of the said Act is amended by adding thereto the following subsection :—
- (2) Any deputy returning officer or poll clerk who wilfully miscounts the ballots or otherwise makes up a false statement of the result shall be guilty of an offence and shall be liable to the penalties provided by subsection 2 of section 193.

Rev. Stat.  
c. 9, s. 167,  
subs. 2,  
amended.  
Procuring  
appointment  
of deputy  
returning offi-  
cer by fraud.

Rev. Stat.  
c. 9, s. 112,  
amended

Wilful mis-  
conduct in  
counting  
ballots, etc.

No. 120.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

An Act to amend The Ontario Election Act.

First Reading, 6th March, 1901.

MR. GIBSON.

TORONTO :

PRINTED BY L. R. CAMERON,

Printer to the King's Most Excellent Majesty.

## An Act to amend The Municipal Act.

**H**IS MAJESTY by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :—

1. *The Municipal Act* is amended by adding to section 5 76 the following sub-section :
- (6) Notwithstanding anything in this section contained the council of any city of over 100,000 inhabitants may by by-law abolish the property qualification of all candidates for the position of mayor or alderman, other than the qualification of being a person entitled to vote at municipal elections in such city
2. Section 87 of the said Act is amended by inserting after the words "in cities,—§460," in the eight line thereof the following words :—"In cities of over 100,000 inhabitants,— 15 §200."
3. Section 95 of the said Act is amended by adding thereto the following sub-section :—
- 95a. In cities having a population of over 100,000 inhabitants, the council thereof may by by-law to be passed not later than the 15th November in any year, enact that the meeting of electors for the nomination of candidates for the offices of mayor, alderman and public school trustees, shall be held on the 21st day of December, (except where the said 21st of December falls on a Sunday, in which case the nomination shall be held on the following day) and that the election of mayor, aldermen and public school trustees in such municipality (except such members as have been previously elected) shall be held on the 1st day of January next, thereafter (except where the 1st day of January falls upon a Sunday, in which case the election shall be held upon the following day.
4. The said Act is amended by adding thereto the following section :—
- 274b. Whenever the council sees fit to hold an investi-

Rev. Stat.  
c. 223 s. 76,  
amended.

Abolishing  
property qual-  
ifications of  
mayor, etc.

Rev. Stat.  
c. 223, s. 87,  
amended.

Reducing vot-  
ers property  
qualifications.

Rev. Stat.  
c. 223, s. 95,  
amended.

Hold elections  
on New Year's  
Day.

Rev. Stat. c.  
223, amended

Authorize  
mayor, etc. to  
administer  
oaths.

gation into matters relating to a supposed malfeasance, breach of trust or other misconduct on the part of any officer of the corporation, or of any person having a contract therewith in relation to the duties or obligations of the officer or other persons to the municipality or concerning any matter connected with the good government of the municipality, or the conduct of any part of the public business thereof, and passes a resolution referring such investigation to the mayor or to any committee appointed by the council, the mayor or the chairman of the said committee shall have power to administer oaths to witnesses who may appear for the purpose of giving evidence before such mayor or committee. 15

Rev. Stat.  
c. 223, s. 404,  
amended.

5. Section 404 of the said Act is amended by adding thereto the following sub-section:—

Controlling  
estimates of  
boards not  
elected by  
people and  
requiring  
council to  
collect rates.

(1). In making such estimates, the council may revise and control the estimates of other Boards within the municipality having power to expend money and power to call upon the municipal council therefor, and which Boards are not elected by the ratepayers, and the council shall only be required to include in the estimates and provide by taxation for so much of the estimates of such other Boards as the council may deem expedient. 20 25

Rev. Stat.  
c. 223, s. 433,  
amended.

6. Section 433 of the said Act is amended by adding the following sub-section thereto:

Passing one  
by-law for  
several local  
improvements.

(5). Instead of passing individual by-laws as hereinbefore provided, councils may pass one by-law for several local improvements works giving the same information concerning each of such works as would be given in the several individual by-laws, and the passing of one by-law covering several distinct works shall not in any way invalidate the said by-law. 30 35

Rev. Stat.  
c. 223, s. 549,  
amended.

7. Section 549 of the said Act is amended by adding the following sub-section after sub-section 8:—

Immoral  
plays in  
theatres.

(9). For preventing the production or giving of any immoral or indecent play, sketch or performance in any theatre, hall or other public place of amusement or entertainment. It shall be lawful for any such by-law, in addition to any penalty lawfully imposed, to provide for any inspector of police, constable or officer, upon the written instructions of chief of police, the acting chief of police or the chairman of the board of police commissioners, to enter any theatre, hall or other place of public 40 45

amusement or entertainment, and if at the request of such inspector, constable or officer, such immoral play, sketch or performance is not forthwith stopped, to apprehend the performer or performers without warrant, and carry him or them as soon as practicable before a justice of the peace. See Liquor License Act, section 132, sub-section 2.

8. Sub-section 5 of section 559 of the said Act is amended by adding thereto the following words :

Rev. Stat.  
c. 223, s. 559,  
subs. 5,  
amend-  
ed.  
Conveyance  
of traffic.

10 And for prohibiting the conveyance of traffic in any but one direction on streets, lanes or alleys which, in the opinion of the council, are too narrow for the passing of one vehicle by another.

9. Article (u) of sub-section 4 of section 566 of the said Act, as amended by section 35 of the Act passed in the 62nd year of the reign of Her Late Majesty, Queen Victoria, and chaptered 26, is amended by striking out the words "the municipality" in the second line thereof, and by inserting in lieu thereof "any municipality having a population of less than 100,000 inhabitants."

Rev. Stat.  
c. 223, s. 566,  
amended.  
62 Vic. c. 26, s.  
35, amended.  
Only to apply  
to a city of  
less than  
100,000  
inhabitants.

10. Article (v) of sub-section 4 of section 566 of the said Act, as amended by section 35 of the Act passed in the 62nd year of the reign of Her Late Majesty, Queen Victoria and chaptered 26, is amended by inserting at the end thereof the following proviso :

Rev. Stat.  
c. 223, s. 566,  
subs. 4,  
amended.  
62 Vic. c. 26, s.  
35, amended.

Provided, however, that this clause (v) shall not apply to a part of any such municipality where a gas or electric light company established therein has neglected or refused to supply gas or electric light thereto.

Where part of  
a municipality  
not supplied  
with light.

11. Article (d) of said sub-section 4 of section 566 of the said Act is amended by inserting the words "or company" after the word "corporation" in the first line thereof; also by inserting the words "or company" after the word "corporation" in the fifth and eighth lines thereof.

Rev. Stat.  
c. 223, s. 566,  
subs. 4, art. d,  
amended.

Requiring  
company to  
supply water  
or light.

12. Article (e) of said sub-section 4 of section 566 of the said Act is amended by inserting the words "or company" after the word "corporation" in the first line thereof, and by inserting the words "corporation or" before the word "company" in the fifth line thereof.

Rev. Stat.  
c. 223, s. 566,  
subs. 4, art. e,  
amended.

Giving corpora-  
tion light to  
get security  
for payment.

13. Sub-section 2 of section 664 of the said Act is amended by inserting the word "subway" after the word "bridge" in the seventh line thereof.

Rev. Stat.  
c. 223, s. 664,  
subs. 2,  
amended.

14. Sub-section 1 of section 674 of the said Act is amend-

Rev. Stat.

c. 223, s. 674,  
sub<sup>s</sup>. 1,  
amended.  
Insert sub-  
way after  
bridge.

ed by inserting the word "subway" after the word "bridges" in the third line thereof; and sub-section 2 of said section 674 is amended by inserting the word "subway" after the word "bridge" in the first line thereof.

Rev. Stat.  
c. 223, s. 708,  
amended.

**15.** Section 708 of the said Act is amended by striking out all the words therein after the word "corporation" in the fourth line and inserting in lieu thereof the following words: 5

If informant  
an employee  
whole penalty  
to municipi-  
pality.

But when the prosecution is brought by a member of the police force or an employee of the municipal corporation or of the local board of health the pecuniary penalty shall be paid to the municipal corporation. 10

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No. 121.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

An Act to amend The Municipal Act.

First Reading, 6th March, 1901.

MR. MARTER.

TORONTO :

PRINTED BY L. K. CAMERON,  
Printer to the King's Most Excellent Majesty.



## An Act to amend The Municipal Light and Heat Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:—

1. Subsection (1) of section 10 of *The Municipal Light and Heat Act*, is repealed and the following substituted therefor: Rev. Stat. c. 234, s. 10, sub s. 1 repealed. Enforcing payment of rates.

(1) The corporation may enforce payment of such rates, charges or rents by action in any court of competent jurisdiction, or by distress and sale of the goods and chattels of the owner or occupant, or of any goods and chattels in his possession wherever the same may be found in the municipality, or of any goods and chattels found on the premises the property of or in the possession of any other occupant of the premises, but where the arrears exceed one-half year no distress shall be made of any goods and chattels which are not the property of the person liable for the water rate.

2. The said Act is further amended by inserting as Section 10(a) thereof the following:— Rev. Stat. c. 234, amended.

10 (a).—(1) The sum payable by the owner or occupant of any house, tenement, lot, or part of a lot for any such rates, charges or rents shall be a lien and charge on the house, tenement, lot, or part of a lot, and may be levied and collected in like manner as municipal rates and taxes are by law recoverable. Rates to be a lien on real property.

(2) The attempt to collect the rates, charges or rents by any process hereinbefore mentioned shall not in any way invalidate the lien upon the premises as hereinbefore provided.

(3) In the event of the rates, charges or rents remaining uncollected and unpaid, and continuing a lien upon the said premises as aforesaid, the amount of the rates, charges or rents so in arrears shall be returned by the collectors to the treasurer of the municipality annually, on or before the eighth day of April, in each and every year, or such other time as may be fixed by the corporation by by-law in that behalf, and the same, together with interest at the rate of ten per cent. per annum thereon, shall thereupon be collected by the treasurer by the sale of the lands and premises in the same manner and subject to the same provisions as in case of the sale of non-resident lands for arrears of municipal taxes. Sale of lands to satisfy lien.

No. 122.

4th Session, 9th Legislature,  
1 Edward VII, 1901.

BILL.

An Act to amend the Municipal Light and  
Heat Act.

First Reading, 6th March, 1901.

Mr. GRAHAM.

TORONTO:

PRINTED BY T. K. CAMPBELL,  
Printer to the King's Most Excellent Majesty.

An Act to amend "The Ontario Controverted Elections Act"

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:

1. Section 9 of *The Ontario Controverted Elections Act* is repealed and the following substituted therefor: Rev. Stat. c. 11, s. 9, repealed.

9. The petition must be presented not later than thirty days after the day fixed for the nomination, in case the candidate or candidates have been declared elected on that day, and in other cases forty days after the holding of the poll, unless it questions the return or election upon an allegation of corrupt practices, and specifically alleges a payment of money or other act of bribery by any member or on his account, with his privity, since the time of the taking of the votes of such electors in pursuance or in furtherance of such corrupt practice, in which case the petition may be presented at any time within thirty days after the date of such payment or act: and in case any petition is presented at either time and on any ground, the sitting member whose election and return is petitioned against may not later than fifteen days after service of such petition against his election and return, file a petition complaining of any unlawful and corrupt act by any candidate at the same election who was not returned, or by any agent of such candidate with his consent or privity. (Dom. Act, 54-55 Vic. c. 20, s. 5.) Time for presenting petition.

2. The said Act is hereby amended by adding thereto the following as section 58a. Rev. Stat. c. 9, amended.

58a. Where upon the trial of an election petition the court decides that a candidate at such election was guilty, by his agent or agents, of any offence that would render his election void, and the court further finds When corrupt practices not sufficient to avoid election.

(a) That no corrupt practice was committed at such election by the candidate personally, and that the offences mentioned were committed contrary to the order and without the sanction or connivance of such candidate, and—

- (b) That such candidate took all reasonable means for preventing the commission of corrupt practices at such election; and—
- (c) That the offences mentioned were of a trivial, unimportant and limited character; and— 5
- (d) That in all other respects, so far as disclosed by the evidence, the election was free from any corrupt practice on the part of such candidate and of his agents: then the election of such candidate shall not, by reason of the offences mentioned, be void, 10 nor shall the candidate be subject to any incapacity therefor. (Dom. Act, 54-55 Vic., c. 20, s. 19.)

Repeal of  
inconsistent  
enactments.

3. All Acts and parts of Acts inconsistent with the provisions of this Act are hereby repealed.



No. 123.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

An Act to amend "The Ontario Controverted Elections Act."

First Reading, , 1901.

M. J. WHITNEY.

TORONTO:

PRINTED BY L. K. GAMMON.

Printer to the King's Most Excellent Majesty.

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No. 124.]

# BILL.

[ 1901.

An Act to amend The Municipal Waterworks Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Sub-section 2 of section 21, of *The Municipal Water Works Act*, is amended by striking out the words "one quarter" in the ninth line of the said sub section and substituting therefor the words "one half year."

No. 124.

4th Session, 9th Legislature,  
1 Edward VII, 1901

BILL.

An Act to amend The Municipal Water  
Works Act

First Reading, 7th March, 1901.

MR. GRAHAM.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.



No. 125. ]

# BILL.

[ 1901.

## An Act to amend The Municipal Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :—

1. Sub-section 1, of section 669 of *The Municipal Act* is hereby amended by adding thereto the following —“ and any number of different works or improvements may be included in one such notice and will stand good for any one or more that may not be petitioned against that the council may determine to proceed with.”

Rev Stat.  
c. 223, s. 669,  
sub-s. 1  
amended.

No. 125.

4th Session, 9th Legislature,  
1 Edward VII, 1901.

BILL.

An Act to amend The Municipal Act.

First Reading, 7th March, 1901.

MR. BROWN.

TORONTO:

Printed by L. K. GARRICK,

Printer to the King's Most Excellent Majesty.

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No. 126].

# BILL

[1901.

An Act to Amend the Agricultural and Arts Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly, of the Province of Ontario, enacts as follows :

1. This Act may be known as *The Agricultural and Arts Short title.*  
5 *Amendment Act.*

2. Section 21 of the Agricultural and Arts Act is hereby amended by striking out clause (e) thereof. Rev. stat. c. 43, s. 21, cl (e), amended.

No. 126.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

An Act to amend The Agricultural and  
Arts Act.

First Reading, 7th March, 1901.

MR. BRIDGEMAN.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

An Act to amend the Law respecting the Liability  
of Trustees.

**H**IS MAJESTY, by and with the advice and consent of the  
Legislative Assembly of the Province of Ontario, enacts  
as follows :—

1. Section 1 of chapter 15 of 62 Victoria is repealed and  
5 the following substituted therefor : 62 V. c. 15,  
s. 1, repealed.

10 If it appears to the court that a trustee, whether  
appointed under this Act or not, is or may be per-  
sonally liable for any breach of trust, whether the Relief from  
technical  
breach of  
trust.  
transaction alleged to be a breach of trust occurred  
before or after the passing of this Act, but has  
acted honestly and reasonably and ought fairly to  
be excused for the breach of trust and for omitting  
15 to obtain the direction of the court in the matter  
in which he committed such breach, then the court  
may relieve the trustee either wholly or partly  
from personal liability for the same.

2. This Act shall not affect litigation pending on the 1st  
day of April, 1899. Pending  
litigation not  
affected.

No. 127.

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4th Session, 9th Legislature,  
1 Edward VII., 1901.

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**BILL.**

An Act to amend the law respecting the  
Habitly of Trustees.

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First Reading, 7th March, 1901.

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Mr. LUCAS.

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TORONTO:

PRINTED BY L. K. CAMERON.

Printer to the King's Most Excellent Majesty.

## An Act to amend the Liquor License Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 91 of *The Liquor License Act* is amended by inserting the words “ of any resident voter in the municipality where the said license has been issued or granted ” after the words “ County Attorney ” in the second line of said section, and the said section is further amended by adding thereto the following sub-section :

- 10 (a) In case the complaint mentioned in the preceding  
 section is made by any person other than the  
 inspector, the Board of License Commissioners or  
 the County Attorney the party so making the  
 15 complaint shall first enter into a sufficient recog-  
 nizance before the Judge, or before a commissioner  
 for taking affidavits of bail in the sum of \$100  
 and by two sureties (to be allowed as sufficient by  
 the Judge upon affidavit of justification) each in  
 the sum of \$50 ; and the recognizance shall be  
 20 conditioned to prosecute the petition or proceeding  
 with effect and to pay to the party against whom  
 the proceedings are taken any costs which may be  
 adjudged to him against the complainant.

Rev. Stat.,  
 c. 245, s. 91,  
 amended.

Revocation of  
 licenses by  
 county judge.

No. 128,

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

An Act to amend the Liquor License Act.

First Reading, 7th March, 1901.

MR. LUCAS.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.



## An Act to amend The Land Titles Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 121 of *The Land Titles Act* is amended by adding thereto the following sub-sections:—

Rev. Stat.  
c. 138, s. 121  
amended.

(2). Upon the conviction under this Act, or under the Criminal Law of Canada, of any person for an offence whereby such person fraudulently procured an entry on the register by reason of which any person other than the rightful owner has become the registered owner of land, or by reason of which land under this Act has been wrongfully encumbered, the Master shall have power on the application of the rightful owner to cancel such wrongful entry and to enter the said rightful owner as the registered owner of the land.

Cancellation  
of fraudulent  
entries.

(3). In case while the said wrongful entry was subsisting on the register any innocent party has been registered as the owner of any charge upon, or any estate, right or interest in the said land, the Master, instead of cancelling the wrongful entry may make an entry in the register stating the fact of the said conviction and revesting the land in the rightful owner subject to such charge, estate, right or interest, and the said land shall thereupon be vested in the person named in such last mentioned entry in accordance with the terms of the said entry.

Where land  
has been trans-  
ferred to inno-  
cent holder.

2. Section 71 of *The Land Titles Act* is amended by adding thereto the following as sub-section 5 thereof:

Rev. Stat.  
c. 138, sec. 71  
amended.

(5) The master may in like manner enter as owner of land or of a charge any person who is entitled to such land or charge through the death of the owner, although the deceased had not been registered as owner, or any person who becomes entitled by virtue of the exercise of any power conferred by a statute, will, deed, or other instrument, whether the person so entitled claims directly from the deceased or directly under the power, or through any other person entitled by virtue of the said death or power or through a succession of transfers or transmissions. This sub-section shall apply to cases where the beneficial title to the land has heretofore passed out of the registered owner as well as to cases arising hereafter.

Entry of per-  
sons taking by  
transmission  
from unregis-  
tered owner.

Rev. Stat.  
c. 138, s. 169.  
application of  
section.

3. Section 169 of the said Act shall not apply to land covered with the waters of Lake Superior adjacent to the Great Manitoulin Island, Cockburn Island or Fitzwilliam Island in the District of Manitoulin, or adjacent to any island which in whole or in part lies between headland and headland around the said three islands. This sub-section shall apply to patents which have already been issued or which may hereafter be issued. 5



No. 129.

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4th Session, 9th Legislature,  
1 Edward VII., 1901.

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BILL.

An Act to amend The Land Titles Act.

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First Reading, 7th March, 1901.

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Mr. HIBSON.

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TORONTO:

PRINTED BY L. K. CAMERON,  
Printer to the King's Most Excellent Majesty.

## An Act to amend The Municipal Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts, as follows:

1. From and after the date of polling for the general municipal elections in the year 1901, the municipal elections for towns not separated from the county for municipal purposes and for villages and townships shall be held in alternate years, but upon the same days and at the hours and places at present fixed by law for the holding of municipal elections and said elections shall be held at the same time as the elections for County councils.

Elections for towns not separated from the county and for villages and townships to be held in alternate years.

2. Section 95 of *The Municipal Act* is repealed and the following section substituted therefor:—

Rev. Stat. c.223, s. 95. repealed.

95. The electors of every city and town separated from a county for municipal purposes shall elect annually on the first Monday of January the members of the council of the municipality, except such members as have been elected at the nomination, and the electors of every town not separated from a county for municipal purposes and of every village and township shall elect in alternate years on the first Monday in January, the members of the council of the municipality, except such members as have been elected at the nomination. The persons so elected shall hold office until their successors are elected or appointed or sworn into office, and until the new council is organized. In the case of the erection of a new corporation or any change in municipal boundaries an election shall be held thereafter as heretofore for the election of members of council of towns not separated from the county for municipal purposes and of villages and townships, but the members so elected shall hold office only until such time as a general election of county councillors will occur in due course of law when a new council shall be elected in the manner provided by this Act.

Time for holding municipal elections.

3. Sub-section 1 of section 118, of *The Municipal Act*, is repealed and the following is substituted therefor:—

Rev. Stat. c.323, sub-sec. 1, repealed.

(1) Subject to the provisions of section 120 of this Act a meeting of the electors shall take place for the nomination of

Time for holding nomination meetings.

candidates for the office of mayor in cities and towns separated from the county for municipal purposes annually, and of mayors in towns not separated from the county for municipal purposes, in alternate years, at the hall of the municipality, on the last Monday in the month of December, at ten o'clock in the forenoon. 5

Rev. Stat. c. 223, s. 119, repealed.

4. Section 119 of the said Act is repealed and the following substituted therefor:—

Nominations for aldermen and councillors.

Save as otherwise provided by section 120 a meeting of the electors shall take place for the nomination of candidates for 10 the offices of aldermen or councillors in cities and in towns separated from the county for municipal purposes annually, and of aldermen or councillors in towns not separated from the municipality for municipal purposes, and of reeves and councillors in villages and townships, in alternate years, after 15 the general municipal election for the year 1901, at noon on the last Monday in December, at the town hall of the municipality or at any such place therein, and in cities and towns divided into wards at such place in each ward thereof, as may from time to time be fixed by by-law, subject in the case of 20 townships to the provisions of section 123.

Rev. Stat. c. 223, s. 216, sub-sec. 1 amended.

5. (1) Sub-section 1 of section 216 of the said Act, is amended by inserting after the word "year" in the third line thereof the words "next preceding" a general municipal election.

Rev. Stat. c. 223, s. 216, sub-sec. 3, amended.

(2) Sub-section 3 of said section 216 is amended by insert- 25 ing after the word "year" in the second line thereof the words "next preceding a general municipal election."

Commencement of Act.

6. This Act shall not come into force until the annual general municipal election to be held for the year 1901.



No. 130.

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4th Session, 9th Legislature,  
1 Edward VII., 1901.

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BILL

An Act to amend The Municipal Act.

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First Reading, 8th March, 1901.

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Mr. JAMESON

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TORONTO:

PRINTED BY L. K. CAMERON.

Printer to the King's Most Excellent Majesty.



## An Act to amend the Assessment Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

- 1.** Sub-section 1 of section 15 of *The Assessment Act* is amended by inserting after the word "years" in the fifth line the words "or who would be of the full age of twenty-one years within four months from the time of placing the name on the assessment roll." Rev. Stat., c. 224, s. 15, sub s. 1, amended.
- 2.** Form 1 of schedule B of the same Act is amended by inserting after the word "years" in the fourteenth line the words "or who will be of the full age of 21 years on the day of A.D." Rev. Stat., c. 224, sched. "B," form 1, amended.
- 3.** Form 2 of schedule B of the said Act is amended by inserting after the word "years" in the eighteenth line the words "or will be of the full age of twenty-one years on the day of A.D." Form 2 amended.

No. 131.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

An Act to amend The Assessment Act.

First Reading, 11th March, 1901.

MR. CARNEGIE.

TORONTO:

PRINTED BY L. K. GAMMON,  
Printer to the King's Most Excellent Majesty.

## An Act to amend the Municipal Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :—

1. The county council of any county or union of counties  
5 upon the application of the owner or owners of lands wholly  
used for farming purposes lying within the limits of any town,  
or incorporated village, situate in the county, may by by-law  
withdraw such lands, or any portion thereof, from the said  
town or village, and annex the same to some adjoining muni-  
10 cipality, upon such terms as may have been agreed upon be-  
tween the council of such adjoining municipality and that of  
the said town or village and the owners of the said lands, or  
in case of dispute upon such terms as may have been deter-  
mined by the county judge, whose award shall be final.
- Separation of  
farm lands  
from towns  
and villages.

No. 132.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

An act to amend the Municipal Act.

First Reading, 14th March, 1901.

MR. CALDWELL.

TORONTO:

PRINTED BY L. K. GAMRON.

Printer to the King's Most Excellent Majesty.

# BILL.

## An Act respecting the Insane.

**W**HEREAS it is now conceded that the term "lunatic" is Preamble.  
 an inappropriate and offensive term to be applied to a  
 person affected with a diseased mind.

Therefore, His Majesty, by and with the advice and consent  
 5 of the Legislative Assembly of the Province of Ontario, enacts  
 as follows:—

1. In all acts, orders and proceedings persons now described "Insane" to  
 as lunatics shall be designated as "insane" or persons of un- be substituted  
 sound mind. for "lunatics"

10 2. All so called Lunatic Asylums shall in future be called "Lunatic  
 and designated as Hospitals for the Insane. Asylums" to  
 be called  
 "Hospitals for  
 the Insane."

No. 133.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

An Act respecting the Insane.

First Reading, 11th March, 1901.

MR. PYNE.

TORONTO:  
PRINTED BY L. K. CAMERON,  
Printer to the King's Most Excellent Majesty.

## An Act to amend The Municipal Act.

**H**IS MAJESTY by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :—

Section 71a of *The Municipal Act* as enacted by section 2 of *The Municipal Amendment Act, 1898*, and amended by section 4 of *The Municipal Amendment Act, 1900*, is further amended by striking out sub-section 4 of the said section and adding at the end of the said section as amended by *The Municipal Amendment Act, 1900*, the following sub-section:

Rev. Stat. c. 223, s. 71a amended.

(61 V. & 51, c. 23, s. 2, 63 V. c. 33, s. 4.)

10 (4c) All the provisions of this section as enacted by section 2 of *The Municipal Amendment Act, 1898*, and amended by section 4 of *The Municipal Amendment Act, 1900*, shall apply to the respective towns and cities mentioned therein notwithstanding anything contained in any Act of incorporation or  
 15 other Act, but nothing in this sub-section shall affect the councils elected for the present year.

Application of section.

No. 134.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

An Act to amend The Municipal Act.

First Reading, March 13th, 1901.

Mr. RUSSELL.

TORONTO:

PRINTED BY L. K. CAMERON,  
Printer to the King's Most Excellent Majesty.



## An Act to amend The Municipal Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. *The Municipal Act* is amended by inserting therein the following as section 622*a*.

622*a*. In case a road deviates from and is used in lieu of a road upon a boundary line between a county, city, town, township or village and an adjoining county, or counties, city, town, township or village in order to avoid natural obstructions which prevent the making of a public road upon such boundary, and in case the said deviating road follows a course as near as may be parallel with such boundary line and as near thereto as the nature of the ground will admit of and rejoins the same boundary line or the continuation thereof, or some road connected therewith, such deviating road and every part thereof shall be regarded as substituted for the road which would otherwise have been constructed upon the said boundary line and such boundary line produced, and section 622 of this Act shall apply thereto.

Rev. Stat., c.  
223 amended.

Roads deviating from boundaries and used in lieu thereof.

No. 135.

---

4th Session, 9th Legislature,  
1 Edward VII., 1901.

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BILL.

An Act to amend The Municipal Act.

---

First Reading, 12th March, 1901.

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MR. CARNEGIE.

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TORONTO:  
PRINTED BY L. K. CAMBORN,  
Printer to the King's Most Excellent Majesty.

An Act to amend The Municipal Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 583 of *The Municipal Act* is hereby amended by adding thereto the following:— Rev. Stat. c. 223, s. 583 amended.

Trading Stamps, Coupons, etc.

By the council of Cities, Towns and Villages.

For prohibiting the giving, selling, and receiving of trading stamps, coupons, or other similar devices, and for prohibiting the giving, selling or dealing therewith by any person, firm, or corporation engaged in trade or business; and for imposing fines on persons, firms and corporations infringing such by-laws; and for levying the same by distress and sale of the goods and chattels of the offender; and for the imprisonment of such offenders for any term not exceeding one month. Trading stamps and coupons.

No. 136.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

An Act to amend The Municipal Act.

First Reading, 12th March, 1901.

MR. GRAHAM.

TORONTO:

PRINTED BY L. K. CAMERON.

Printer to the King's Most Excellent Majesty.

## An Act to amend The Municipal Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 583 of *The Municipal Act* is hereby amended by adding thereto the following:—

Rev. Stat.  
c. 223, s. 583  
amended.

Trading Stamps, Coupons, etc.

By the council of Cities, Towns and Villages.

For prohibiting the giving, selling, *distributing or receiving* of trading stamps, coupons, or other similar devices, and for prohibiting the giving, selling or dealing therewith by any person, firm, or corporation engaged in trade or business.

Trading  
stamps and  
coupons.

(a) No such by-law shall apply to any merchant or manufacturer who places in or upon packages of goods or delivers to the purchasers of goods sold or manufactured by him, tickets or coupons to be redeemed by such merchant or manufacturer either in money or merchandise.

(b) No such by-law shall come into force or take effect until after the 1st day of January, 1902.

No. 136.

---

4th Session, 9th Legislature,  
1 Edward VII., 1901.

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BILL.

An Act to amend The Municipal Act.

---

First Reading, 12th March, 1901.  
Second Reading, 20th March, 1901.

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*(Reprinted as amended by Special  
Committee.)*

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MR. GRAHAM.

TORONTO :

PRINTED BY L. K. CAMERON,  
Printer to the King's Most Excellent Majesty.

An Act to amend The Registry Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Section 37 of *The Registry Act* is amended by inserting  
5 after the word "grantees" in the fifth line of the said section  
the words "and the nature of such instrument" and schedule  
F of such Act is amended by adding to the form in the said  
Schedule a column headed "nature of instrument."

Rev. stat.  
c. 136, s. 37  
and form F  
amend-d.

All habeas  
index to show  
nature of  
instrument.

No. 137.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

An Act to amend The Registry Act.

First Reading, 12th March, 1901.

MR. WARDELL.

TORONTO:

PRINTED BY L. K. GARRISON.

Printer to the King's Most Excellent Majesty.



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No. 138 ]

**BILL.**

[ 1901

An Act to amend The Municipal Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Sub-section 3 of sec. 481 of *The Municipal Act* is here-  
5 by amended by striking out the figures 100,000 in said sub-  
section and inserting the figures 50,000 in lieu thereof.

Rev. stat.  
c. 223, s. 481,  
subs. 3  
amended.

No. 138.

---

4th Session, 9th Legislature,  
1 Edward VII, 1901.

---

BILL.

An Act to amend The Municipal Act.

---

First Reading, 12th March, 1901.

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MR. WARDELL.

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TORONTO:

PRINTED BY L. K. CAMERON.

Printer to the King's Most Excellent Majesty.

## An Act to amend The Municipal Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:—

1. Section 158 of *The Municipal Act* as re-enacted and amended by *The Municipal Amendment Acts of 1899 and 1900* respectively is amended by striking out the words “or in two divisions or by a general vote.” Rev. stat. c. 223 s. 158 amended.

2. Section 159 of *The Municipal Act* is amended by striking out the words “nor more than once in each ward for 10 councillors in townships divided into wards” in the second and third lines thereof. Rev. Stat. c. 223 s. 159 amended.

3. Section 355 of the said Act is hereby repealed. Rev. stat. c. 223 s. 355 repealed.

4. *The Municipal Act* is amended by striking out the words “deputy reeve” and “deputy reeves” where ever 15 they occur in the following sections:—

2—Clause 12.

112—Clause 6 of oath of freeholder.

113—Clause 8 of oath of tenant.

114—Clause 7 of oath of income voter.

20 115—Clause 8 of oath of farmer's son.

118—Marginal note.

159—Fourth and fifth lines.

219—Second line of sub-section 1.

220—Seventh line of sub-section 1.

25 311—First line of sub-section 2.

316—Second line.

319—Second line.

Rev. stat. c. 223 amended by omitting the words “deputy reeve” in certain places.

5. Sub-section 3 of section 696 of *The Municipal Act* is amended by striking out the words “to include a sinking 30 fund” in the third and fourth lines of the said sub-section. Rev. stat. c. 223 s. 696 subs. 3 amended.

6. Sub section 3 of section 384 of *The Municipal Act* is amended by adding thereto the following proviso:—

“Provided that in case of a by-law heretofore or hereafter passed for raising money for the purpose of granting aid to 35 “a railway or other undertaking of a like nature the debentures.” Rev. Stat. c. 223, s. 384, subs. 3, amended. Time for issuing railway bonus debentures.

"tures of the first instalment thereof as aforesaid may be  
 "issued at any time within five years after the passing of the  
 "by-law, but in such case the whole amount of such debentures  
 "shall be issued within ten years after the passing of such by- 5  
 "law, and if, before the passing of this Act, the municipality  
 "shall have levied one or more years' special rate under the  
 "said by-law, the said special rate shall and may continue to  
 "be levied during the term fixed by the by-law, notwithstand-  
 "ing such debentures have not been issued, but if the munici- 10  
 "pality shall not before the passing of this Act have levied  
 "any rate under the by-law it shall not be necessary to levy  
 "any special rate for payment of the said debentures or in-  
 "terest thereon until the same shall be issued as aforesaid."

Rev. Stat.  
 c. 223, s. 583  
 amended.

7. Section 583 of *The Municipal Act* is amended by adding 15  
 thereto the following: (By-laws may be passed.)

By the councils of towns and of cities having less than  
 100,000 inhabitants and by the Board of Commissioners of  
 Police in cities having 100,000 inhabitants or more.

Licensing,  
 etc., of laun-  
 dries.

(39) For licensing and regulating laundrymen and for in- 20  
 specting and regulating laundries, but no such by-law shall  
 apply to or include women carrying on the laundry business  
 in private dwelling houses, and employing female labour only,  
 nor shall any such by-law apply to or include such private  
 dwelling houses.

By the councils of cities and towns. 25

For fixing the sums to be paid for licenses required under  
 by-laws passed under the preceding paragraph 39.



No. 139.

4th Session, 9th Legislature,  
1 Edward VII, 1901.

BILL.

An Act to amend The Municipal Act.

First Reading, 12th March, 1901.

Mr. PETTYPIECE.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

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No. 140.]

**BILL.**

[ 1901

An Act to amend The Assessment Act.

**H**IS MAJESTY, by and with the advice and consent of the  
Legislative Assembly of the Province of Ontario, enacts  
as follows :—

1. Sub-section 2 of section 58 of *The Assessment Act* is  
amended by striking out the figures "31st" in the second  
line of said sub section, and substituting therefor the figures  
"15th."

Rev. Stat.  
c 224, s. 58,  
sub. 2,  
amended.

No. 140.

---

4th Session, 9th Legislature,  
1 Edward VII., 1901.

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BILL.

An Act to amend The Assessment Act.

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First Reading, 12th March, 1901.

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MR. PETTYPIECE.

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TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.



## An Act to amend The Municipal Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :—

1. Sub-sections 25 and 26 of Section 583 of "*The Municipal Act*" be and the same are hereby repealed and the following sub-section substituted therefor :—

Rev. Stat. c.  
223, s. 583,  
sub-s. 25 and  
26 repealed.

(25) For licensing and regulating plumbers, and for providing that no plumbing work shall be done within the municipality without plans of the work proposed to be done having been first submitted to the plumbing inspector or other official appointed for that purpose by the council, and the written authority or permit of such inspector or official having been first obtained; appointing a plumbing inspector, and fixing the annual fee (not to exceed \$20.00 per year) to be paid for every license required under by-laws passed under this section, and for imposing and fixing the fees to be paid by every plumber for the inspection by such plumbing inspector, of plumbing work done by such plumber.

Licensing and  
regulating  
plumbers.

2. Section 586 of said Act is amended by inserting the following sub-section :—

Rev. Stat. c.  
223, s. 586  
amended.

(11) For preventing and regulating the use of tickets, checks or coupons by vendors of or dealers in milk, bread, or other articles of food.

Milk and  
bread tickets.  
etc.

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No. 141.

---

4th Session, 9th Legislature,  
Edward VII., 1901.

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BILL.

An Act to amend The Municipal Act.

---

First Reading, 12th March, 1901.

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Mr. LEYS.

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TORONTO:

PRINTED BY L. K. CAMERON,  
Printer to the King's Most Excellent Majesty.

## An Act to amend The Municipal Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :—

1. The following section is added to *The Municipal Act* as Rev. Stat., c. 223 amended.  
5 Section 607a:

607a. (1) In case any such public road, street, bridge or highway is fouled, obstructed or impaired by nuisance or otherwise, as in section 557 mentioned, or is not in a proper state of repair for ordinary travel as provided in section 606, Proceedings to have highway repaired.  
10 any five rate payers residing or having taxable property on such public road, street or highway or adjacent to such bridge, may give one month's notice of any of the matters above mentioned to the said municipality, setting forth their grounds of complaint; and thereafter any one or more of such rate-  
15 payers may apply by a summary proceeding to any Court or Judge having jurisdiction within such municipality, for an order requiring the said municipality to exercise its powers according to the provisions of the said section 557, or to remove or cause to be removed the fouling, obstruction, or other  
20 nuisances impairing the said public road, street, bridge, or highway, as set forth in such complaint, or to have the same put in a proper state of repair for the ordinary travel thereon, as the case may be, or for such other relief, and within such reasonable time as may be just.

25 (2) The Court or Judge may refer any matter arising on such application for investigation and report to the Provincial Instructor in Road Making, or other expert engineer on such terms and conditions as may be deemed proper; or so far as may be applicable, as provided respecting references to engi-  
30 neers under *The General Road Companies Act*, Revised Statutes of Ontario, (1897), chapter 193. Reference to engineer.

(See *The English Highway Act of 1862*, 25 and 26 Vic., c. 61, sec. 18; *The General Road Companies Act*, R.S.O., (1897), c. 193, sec. 80 and following sections; *The Municipal Drainage Act*, R.S.O., (1897), c. 226, sec. 73 and *The Municipal Act*, (1899), c. 26, sec. 41). Rev. Stat., c. 193.  
35

Rev. Stat., c.  
193, s. 50,  
subs. 4  
amended.

2. Subsection 4 of section 50 of *The General Road Companies Act* is amended by adding at the end thereof the words "and such rural company, owner or municipal corporation, and any renter or collector of tolls on such remaining portion of the road shall in case tolls are demanded or taken thereon in violation of this subsection be liable to the penalties imposed by subsection 1 of section 123 of this Act." 5

Rev. Stat., c.  
193, s. 50  
amended.

3. The said section 50 is further amended by adding thereto the following subsections:

By-law declaring part of road in city, town or village abandoned.

(5) Where a portion of any road lying within a city, town or incorporated village, is owned or controlled by a company, firm or individual, or by some other municipal corporation, and such company, firm, individual or municipal corporation, has for a period of ten years prior to the enactment of this subsection neglected to keep such portion of the road in repair and has allowed the corporation within whose limits it lies to make repairs on such portion from time to time without protest the council of the city, town or village may by law declare the same to have been abandoned and the company, firm, individual, or municipal corporation owning or controlling such portion of the road to have forfeited all rights, privileges and franchises therein and thereto, and thereafter the same shall be owned, controlled and kept in repair by the corporation of such city, town or incorporated village. 15 20

Sole, when to be deemed an abandonment.

(6) The sale of any portion of a road lying within a city, town or incorporated village, to the corporation of such city, town or village shall have the same effect as to such portion as an abandonment thereof under subsection 1 of this section 25

Rev. Stat., c.  
193, s. 54, sub-  
s. 1, amended.

4. Subsection 1 of section 54 of the said Act is amended

(a) By inserting after the word "cents" in the third line of clause *a*, the words "for one way or two cents for one way and return within twelve hours." 30

(b) By inserting after the word "cents" in the fifth line of the said clause the words "for one way or three cents for one way and return within twelve hours." 35

Rev. Stat., c.  
193, s. 54,  
amended.

5. Section 54 of *The General Road Companies Act* is amended by adding thereto the following subsection:

When road interrupted by city, town or village.

(4) Where a road passes through and is continued beyond the limits of a city, town or incorporated village and a portion of such road lying within the limits of such town or village is not owned by or under the control of the owner of the remaining portions of the road, the portions so separated for the purposes of calculating the tolls payable thereon under this section shall be deemed to be separate and distinct roads.

Rev. Stat., c.  
193, s. 59,  
amended.

6. Section 59 of the said Act is amended by adding at the end thereof the words "But toll shall not be demanded or 45

taken for any beast or vehicle at more than one gate in each five miles of the road."

7. Section 123 of the said Act is amended by adding thereto the following sub-sections :

Rev. Stat. c.  
193, s. 123,  
amended.

5 (3) The owner of any road on which the tolls are not leased shall be liable to the penalty imposed by sub-section 1 of this section, in the same manner and to the same extent as a renter or collector of tolls.

Penalties for  
excessive tolls.

10 (4) Every road company and road owner and every renter and collector of tolls, shall put up or cause to be put up at a conspicuous place at each toll gate on the road, owned or controlled, or upon which tolls are leased or collected by such company or person, as the case may be, a list or schedule showing the tolls payable at such gate and in default or in case the  
15 tolls shown or such list are greater than those allowed by law, the road company or road owner and the renter or collector of tolls at such gate shall be severally liable to the penalty imposed by sub-section 1 of this section, for each day upon which such default continues, or upon which such illegal  
20 charges are displayed as the case may be.

Tariff to be  
put up at tolls.

No. 142.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL

An Act to amend The Municipal Act.

First Reading, March 13th, 1901.

MR. MCKAY.

TORONTO,

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

## An Act to amend The Municipal Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Notwithstanding anything in *The Municipal Act* or in *The Municipal Amendment Act, 1898*, or *The Municipal Amendment Act, 1899*, contained, in case a majority of the qualified electors of a township whose names appear on the last revised assessment roll, petition the council of the township to divide the township into wards, the council shall within one month thereafter pass a by-law to give effect to the petition, and shall divide the township into wards so that the number of electors in each ward shall be as nearly as may be equal; and the number of wards for municipal purposes shall be four in all cases.
2. Where a township is divided into wards in pursuance of the provisions of sub-section 1 of this section the form of ballot papers set out in Schedule "A" to this Act, for use in townships divided into wards, shall be used.
3. Section 73 of *The Municipal Act* as amended by section 4 of *The Municipal Amendment Act, 1898*, is amended by adding thereto the words "except in the case of townships which may under the provisions of this section be divided into wards."
4. In townships divided into wards under this section, one councillor shall be elected for each ward, and the reeve shall be elected by a general vote.

By-law for re-dividing townships into wards.

Form of ballot paper.

Rev. Stat. c. 223, s. 73, amended.

Number of councillors.

## SCHEDULE A.

## FORM OF BALLOT PAPER.

In the case of Townships divided into Wards, form for Councillors :—

	Election of Members of the Municipal Council of the Township of _____ in the County of _____ day of January, 19____ Ward No. _____	FOR COUNCILLORS.	<b>BULL.</b> John Bull, of the Township of York, Doctor of Medicine.
			<b>JONES.</b> Morgan Jones, of the Township of York, Farmer.
			<b>McALLISTER.</b> Allister McAllister, of the Township of York, Lumber Merchant.
			<b>O'CONNELL.</b> Patrick O'Connell, of the Township of York, Lumber Merchant.
			<b>RUAN.</b> Malachi Ruan, of the Township of York, Farmer.
			<b>SCHULZE.</b> * Gottfried Schulze, of the Township of York, Farmer.

Form for Reeve :—

	Election of members of the Municipal Council of the Township of _____ in the County of _____ day of January, 19____ Ward No. _____	FOR REEVE.	<b>BARDELL.</b> Thomas Bardell, of the Township of Peel, Farmer.
			<b>SNODGRASS.</b> Alfred Snodgrass, of the Township of Peel, Yeoman.





No. 143.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

An Act to amend The Municipal Act.

First Reading, 13th March, 1901.

Mr. BROWER.

TORONTO :  
PRINTED BY L. K. GAMMON,  
Printer to the King's Most Excellent Majesty.

## An Act to amend The Municipal Act.

HIS MAJESTY, by and with the advice and consent of the  
Legislative Assembly of the Province of Ontario, enacts  
as follows:—

1. By-laws may be passed by the councils of cities and  
5 towns for licensing and regulating laundrymen and for in-  
specting and regulating laundries and for fixing the sums to  
be paid for such licenses, not exceeding \$50 for each license,  
but such by-laws shall not apply to women carrying on laun-  
dry business in private dwellings and employing females only,  
10 nor apply to such private dwellings.

Inspecting  
and regulat-  
ing laundries,  
etc.

No. 144.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

An Act to amend The Municipal Act.

First Reading, 13th March, 1901.

Mr. FOY.

TORONTO:

PRINTED BY L. K. CAMERON,  
Printer to the King's Most Excellent Majesty.

An Act to amend The Drainage Act with  
respect to railways.

**H**IS MAJESTY, by and with the advice and consent of the  
Legislative Assembly of the Province of Ontario, enacts  
as follows :

1. Section 3 of *The Municipal Drainage Act* is amended  
5 by inserting therein the following as sub-section (3a) :—

Rev. Stat.,  
c. 226, s. 3,  
amended.

(3a) If owing to the construction of a railway either before  
or after the passing of this Act, water is by any means caused  
to flow upon and injure the lands of any municipality, com-  
pany or individual, or the natural flow of the drainage is or  
10 has been diverted or interfered with so as to cause water to  
remain upon, or so as to prevent the free flow of water from  
any such lands and roads, or if, owing to the existence of a  
railway, extra cost is incurred through the necessity of divert-  
ing the course of a drainage work under this Act so as not to  
15 cross such railway, the company owning or controlling such  
railway may, under all the formalities and powers contained  
therein, except the petition be assessed and charged for the  
construction and maintenance of the drainage work to the  
extent required for relieving the injured lands and roads from  
20 such water and to the extent of the extra cost of the work  
occasioned by the existence of such railway as may be deter-  
mined by the engineer or surveyor, court of revision, county  
judge or referee, and such assessment shall be deemed to be  
an assessment for injuring liability within the meaning of  
25 sub-section 3 of this Act, and the railway company thus made  
liable to assessment shall neither count for nor against the  
petition required by sub-section 1 of this section.

Assessment of  
railways for  
extra cost of  
drainage  
occasioned by  
their  
existence.

No. 145.

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4th Session, 9th Legislature,  
1 Edward VII., 1901.

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BILL.

An Act to amend The Drainage Act with  
respect to railways.

First Reading, 13th March, 1901.

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MR. LEYS.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

## An Act to amend The Municipal Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 310 of *The Municipal Act* is amended by adding 5 thereto the following as sub-section 3. Rev. Stat. c.  
223 s.310.

3. When valuers have been appointed under this section the said valuers may ascertain the value of the said real property by inspecting and valuing from five to eight per cent of the different parcels of land in different parts of each municipality in the county, and upon such inspection and valuation the said valuers shall compare their valuations with the valuations in the last revised assessment roll made by the assessors of the several municipalities within the county and if upon such comparison it is found that the valuation of the county valuers nearly corresponds in the aggregate with the valuation upon the local assessment roll, the valuers and afterwards the county council shall accept the assessment roll of the local municipality as correct for the purposes of county valuation. Method of  
valuing by  
county valua-  
tors.

20 (a) Where it is found that the valuations of particular lots made by the county valuers differ materially from the valuations of the same lots upon the assessment roll of the local municipality the county valuers shall add or deduct a corresponding percentage to or from the local assessment and a similar method shall be followed with respect to the valuation of real property in towns and villages.

2. Notwithstanding anything contained in *The Municipal Act* or in *The Assessment Act*, the valuers appointed by the county council shall be required to attest their report by oath or affirmation only to the extent of the property actually inspected and valued by them. Attestation of  
valuation.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL

An Act to amend The Municipal Act

First Reading, 13th March, 1901.

MR. MUTREE.

TORONTO

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.



## An Act to amend The Assessment Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :

1. Sub-section 2 of section 157 of *The Assessment Act* is amended by striking out the words "be bound to." partly in the eighth and partly in the ninth lines thereof.

Rev. Stat. c. 224, s. 157, sub-s. 2, amended.

2. Sub-section 1 of section 169 of the said Act is repealed and the following substituted therefor :

Rev. Stat. c. 224, s. 169, sub-s. 1, repealed.

10 "If at the balance to be struck as on the 1st day of May, in every year, it appears, by the statement of the treasurer of the township or village, delivered before the 8th day of April to the county treasurer, that there are any arrears due upon any parcel of land, the treasurer shall add to the whole amount then due 10 per centum thereon, but if said statement is not so delivered, no percentage shall be added for that year."

Percentage to be added to arrears by treasurer of township or village.

No. 147.

4th Session, 9th Legislature,  
1 Edward VII, 1901.

BILL.

An Act to amend The Assessment Act.

First Reading, 13th March, 1901.

Mr. EILBER.

TORONTO :

PRINTED BY L. K. CAMERON.

Printer to the King's Most Excellent Majesty.

## An Act to amend The Municipal Act.

**HIS MAJESTY**, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :

**1.** The Municipal Act is amended by inserting therein after  
5 section 70 the following section :—

**70a.** In any city having a population of more than 15,000, where the aldermen are elected by a general vote, the council may before the first day of October in any year by a by-law passed by a majority of the members of the whole council  
10 provide that the mayor shall thereafter be elected for the term of two years. Such by-law shall remain in force for the period of five years from the passing thereof, and shall continue in force thereafter until repealed by a by-law passed by  
15 an affirmative vote of a majority of the members of the whole council, but no such repeal shall effect or shorten the term of office of a mayor who has been elected for a term of two years or for the residue of any such term.

Rev. stat. c.  
223 s. 70  
amended.

Two year  
term in cities  
where alder-  
men elected  
by general  
vote.

**2.** Sub-section (4a) of section 71a of the said Act is amended by striking out the word "later" in the twentieth line of  
20 said sub-section and inserting the word "sooner" instead thereof.

Rev. stat. c.  
223 s. 71a  
subs. 4a  
amended.

**3.** Section 119 of the said Act is amended by striking out the word "town" in the sixth line thereof.

Rev. stat. c.  
223 s. 119  
amended.

**4.** Section 128 of the said Act is amended by adding there-  
25 to the following sub section :—

Rev. stat. c.  
223 s. 128  
amended.

(5). In cities where the aldermen are elected by general vote or in two electoral divisions the said polls shall be opened at eight of the clock in the morning and shall continue open till seven o'clock in the afternoon, and no later.

Hours of pol-  
ling in certain  
cities.

**5.** Sub-section 2 of section 140 of the said Act is repealed  
30 and the following substituted therefor :—

Rev. stat. c.  
224 s. 140  
subs. 2  
repealed.

(2). In the case of cities and towns where the aldermen or councillors are elected by general vote or in two electoral div-  
isions one kind or set of ballot papers shall be prepared for  
35 all the polling sub-divisions containing the names of the can-

Ballot papers  
where  
aldermen are  
not elected  
by wards.

didates for mayor and another kind or set shall be prepared for all the polling sub-divisions of the city or town or of each electoral division containing the names of the candidates for aldermen or councillors as the case may be in the city or town or electoral division, and the forms of ballot papers contained in schedule "A" to this Act shall be adapted to the foregoing provisions. 5

63 V c. 33 s.  
6 repealed.

6. Section 6 of *The Municipal Amendment Act, 1900*, is repealed and *The Municipal Act* is amended by inserting therein after section 158 the following section:— 10

Number of  
votes which  
may be given  
by each  
elector.

158a. In towns and cities where the councillors or aldermen are elected by general vote every elector shall be limited to one vote for the mayor and one vote for each councillor or alderman to be elected for the town or city, and shall vote at the polling place of the polling sub-division in which he is a resident, if qualified to vote therein; or when he is a non-resident or is not entitled to vote in the polling sub-division where he resides, then where he first votes and there only; and in cities where the aldermen are elected in two electoral divisions every elector shall be limited to one vote for mayor and to one vote for each alderman to be elected in each electoral division in which he has been rated for the necessary property qualification and shall vote in the manner hereinbefore prescribed. 15 20

Rev. stat. c.  
223 amended.

7. The said Act is amended by adding after section 175 the following section:— 25

Number of  
agents who  
may be pre-  
sent at polling

175a. In cities where the aldermen are elected by general vote or in two electoral divisions, not more than one agent of any candidate shall be entitled to be present at the same time in any polling place during the voting or at the counting of the votes. 30

Rev. stat. c.  
223 amended.

8. The said Act is amended by inserting after section 215 the following section:— 215

Vacancies in  
council where  
aldermen  
elected by  
general vote.

215a (1) In case of a vacancy in the office of alderman occasioned by death or resignation or by any cause in a city having a population of more than 15,000, where the aldermen are elected by a general vote, the unsuccessful candidate who received the highest number of votes cast at the last municipal election shall be entitled to the office upon taking the requisite oath of qualification within the time hereinafter prescribed, and in the event of his failure to do so or upon his disclaiming the office, one of the candidates following in regular order as to the number of votes received, shall, in manner hereinafter provided, become entitled to the office on taking the requisite oath of qualification within the time hereinafter limited. In case of a tie in the number of votes cast for two or more of such candidates their order of succession shall be determined by the amounts for which they are respectively rated upon 35 40 45

the last revised assessment roll, the candidate having the largest assessment to have the priority. When any such vacancy occurs in the office of alderman it shall be the duty of the city clerk to give immediate notice in writing to the  
 5 candidate who stands first in succession that he is entitled to such vacant office if he takes the requisite oath of qualification within one week after the giving of such notice, and if such candidate shall fail to take the oath within that period he shall be deemed to have disclaimed the office. If any  
 10 candidate disclaims or fails to take the requisite oath within the time so limited, the clerk shall give immediate notice in writing to the candidate next in succession in the same terms as the notice to the first candidate until the vacant office has been filled or the list of candidates entitled to take it exhaust-  
 15 ed. The notice in writing to be given by the city clerk to candidates under this section may be served personally, or by registered letter, addressed to the candidate and a record of such service, or of such mailing and of the address of the letter containing the notice shall be preserved by the clerk.

20 (2) If all the aldermen have been elected by acclamation or no candidate takes the vacant office under provisions contained in the last preceding section the council shall immediately after the time for filling the vacancy under said section has expired, elect one alderman to fill such vacancy for the  
 25 remainder of the term of the member whose seat has become vacant.

9. Subsection 2 of section 216 of said Act is amended by inserting after the word "year" in the second line of said  
 subsection the words "or of the second year of his term of  
 30 office if the mayor has been elected for a term of two years." Rev. Stat., c. 223, s. 216, sub-s. 2, amended.

10. The said Act is amended by inserting after section 404  
 the following section:— Rev. Stat., c. 223, amended.

404*a*. In making the estimates mentioned in the last preceding section the council shall have power to revise the  
 35 estimates of other bodies not elected by the ratepayers but having the right to require the council to levy monies to be expended by them and to reduce or increase such estimates. Revision of estimates of board, etc.

11. Section 540 of the said Act is amended by striking out  
 the words "having 100,000 inhabitants or more" in the para-  
 40 graph before subsection 7 of said section. Rev. Stat., c. 223, s. 540, amended.

12. Section 542 of the said Act is amended by inserting  
 after subsection 3 of said section the following subsection:— Rev. Stat., c. 223, s. 542, amended.

(a) For inspecting and regulating wires and other apparatus used or installed for the transmission or supply of elec-  
 45 tricity for purposes of light or power along the public streets or highways or upon or in any building in the municipality. Inspecting and regulating electric wires, etc.

Rev. Stat.,  
c. 223, s. 580,  
amended.

**13.** Section 580 of the said Act is amended by inserting the following subsection:—

Capacity of  
fruit boxes,  
etc., to be  
marked  
thereon.

(14) For requiring that the capacity of all baskets and boxes in which fruit or vegetables are sold otherwise than by weight, whether in the market or elsewhere, shall be marked in a conspicuous manner upon such baskets and boxes. 5

Rev. Stat.,  
c. 223, s. 606,  
sub-s. 2,  
amended.

**14.** Subsection 2 of section 606 of the said Act is amended by striking out all the words after "sidewalks" in said subsection.

Rev. Stat.,  
c. 223, s. 669,  
amended.

**15.** Section 669 of the said Act is amended by inserting 10 therein after the first paragraph of said section the following subsection:—

Personal ser-  
vice of local  
improvement  
notices in lieu  
of publication.

(1*a*.) The council may by by-law require that, instead of being given by publication, as provided in the next preceding paragraph, the notice of the intention of the council to undertake any work as a local improvement shall be given to the owners of the properties benefited thereby, by personal service or by leaving the notice at the places of business or residence of such owners respectively, or by registered letter, or by leaving the same with a grown up person on the premises when the owner's address or residence is unknown; and that a declaration of the officer or person charged with the duty of giving any such notice that the same was served or mailed as stated in the declaration, shall be accepted as conclusive evidence of such service or mailing. 20 25

Rev. Stat.,  
c. 223, s. 539,  
amended.

**16.** Section 539 of the said Act is amended by adding at the end thereof " and to provide for the payment of a commutation of such rent or for charging a gross sum in lieu of rent and for the payment of such commutation or gross sum either in cash or by instalments with interest." 30



No. 148.

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4th Session, 9th Legislature,  
1 Edward VII., 1901.

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BILL.

An Act to amend The Municipal Act.

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First Reading, 13th March, 1901.

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MR. CAIRNS' ALLEN.

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TORONTO:

Printed by L. K. GARRISON,

Printer to the King's Most Excellent Majesty.



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No. 149 ]

**BILL.**

[ 1901.

An Act to amend The Line Fences Act.

**H**IS MAJESTY, by and with the advice and consent of the  
Legislative Assembly of the Province of Ontario, enacts  
as follows :—

1. Section 8 of *The Line Fences Act* is hereby amended by  
5 inserting after the word "given" in the fifth line thereof the  
words "by the clerk of the municipality with whom the same  
has been deposited." Rev. Stat.  
c. 284, s. 8,  
amended.

No. 149.

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4th Session, 9th Legislature,  
1 Edward VII., 1901.

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BILL.

An Act to amend The Line Fences Act.

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First Reading, 13th March, 1901.

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MR. TAYLOR.

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TORONTO:

PRINTED BY L. K. GAMMON,

Printer to the King's Most Excellent Majesty.

An Act to Incorporate the "Chippawa and Niagara Falls Electric Railway Company."

**W**HEREAS Edwy Baxter, of the village of Fort Erie, in the County of Welland, merchant; Marc W. Comstock, of the city of Buffalo, in the State of New York, counselor-at-law; Edward E. Tanner, of the said city of Buffalo, counselor-at-law; W. H. Davis, and Henry B. Zimmerman, both of the said city of Buffalo, gentlemen; Banker R. Paine, of the village of Niagara Falls, in the county of Welland, real estate agent, and Thomas C. Frenyear, of the said city of Buffalo, electrician, have by their petition prayed for an Act of incorporation under the name of the "Chippawa and Niagara Falls Electric Railway Company," for the purpose of constructing and operating an electric railway from some point in the village of Chippawa, in the county of Welland, passing through the said village of Chippawa, the township of Stamford, the village of Niagara Falls, and the town of Niagara Falls, all in the county of Welland, and other points in said county of Welland and in the county of Lincoln; and whereas it is expedient to grant the prayer of the said petition,

Preamble

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Edwy Baxter, of the village of Fort Erie, in the county of Welland; Marc W. Comstock, Edward E. Tanner, W. H. Davis, Henry B. Zimmerman, and Thomas C. Frenyear, all of the city of Buffalo, in the State of New York, and Banker R. Paine, of the village of Niagara Falls, in the county of Welland, and such other persons and corporation as shall hereafter become shareholders in the said company, are hereby constituted a body corporate and politic, under the name of The Chippawa and Niagara Falls Electric Railway Company.

Incorporation.

2. That the said company is hereby authorized and empowered to survey, lay out, construct, complete, alter and keep in repair a double or single track railway, with iron or steel rails, to be operated by electricity or other motive power, from some point in the village of Chippawa, the township of Stamford, the village of Niagara Falls and the town of Niagara Falls, in the county of Welland and through other towns and villages

Location of line.

in the said county of Welland and in the county of Lincoln, and the said railway or any part thereof may be carried along and upon such public highways as may be authorized by the by-laws of the respective corporations having jurisdiction over the same and subject to the restrictions and provisions therein and in *The Electric Railway Act* contained, and under and subject to any agreements made or hereafter to be made between the said company and the councils of any of the said corporations and between the company and the road companies (if any) interested in such highway; and the said company may make and enter into any agreements with any municipal corporation or road company as to the terms of occupancy of any street or highway, subject to the provisions and conditions contained in *The Electric Railway Act* and in *The Municipal Act*, and any Act or Acts amending the same; and the by-laws already passed by the municipal council of the village of Chippawa and by the municipal council of the township of Stamford granting certain privileges for the construction and operation of an electric railway to the petitioners hereinbefore named are hereby approved, confirmed and ratified to all intents and purposes.

Rev. Stat.,  
c. 209.

Rev. Stat.,  
c. 223.

Agreements  
for running  
powers over  
other lines.

3. The said company shall also have power to enter into such agreements as its directors may deem proper with any other railway company, or companies, for the purpose of securing running powers over or of leasing the lines of such other company or companies, or of granting running powers over or of leasing its own lines to such other company or companies; also to amalgamate with such other company or companies on such terms and conditions as the directors of such company or companies, duly elected, choose to prescribe.

Electrical  
works.

4. The said company shall also have power to construct, maintain and operate works for the production of electricity, and in any other manner to acquire the same for the motive power of said railways, and for the lighting and heating of the rolling stock and other property of the company, also to sell or lease, or otherwise dispose of, any such electricity not required for the purposes aforesaid, to any person or corporation.

Provisional  
directors.

5. The said Edwy Baxter, Marc W. Comstock, Edward E. Tanner, W. H. Davis, Henry B. Zimmerman, Banker R. Paine and Thomas C. Frenyear, with power to add to their number, shall be and are hereby constituted a board of provisional directors of the said company, and shall hold office as such until other directors shall be appointed under the provisions of this Act by the shareholders.

A meeting of  
Provisional  
directors.

6. All meetings of the provisional board of directors of the said company shall be held in the village of Niagara Falls, in the county of Welland, or at such other place as may best suit the interests of the said company.

7. The capital stock of the company hereby incorporated Capital stock shall be \$100,000, to be divided into 1,000 shares of \$100 each.

8. The board of directors of the said company shall consist Directors  
5 of not less than five and not more than nine persons who shall be elected in the manner and possess the qualifications prescribed by *The Electric Railway Act*.

9. The head office of the said company shall be at the Rev. stat. c.  
village of Fort Erie. 209 of head  
office.

10 10. The several clauses of *The Electric Railway Act*, Application  
and of every act in amendment thereof shall be incorporated of Rev. Stat.  
with and be deemed to be part of this Act, and shall apply to c 209.  
the company, and to the railway to be constructed by them,  
except only so far as they may be inconsistent with the express  
15 enactments hereof, and the expression "this Act" when used  
herein, shall be understood to include the clauses of the said  
Electric Railway Act, and of every Act in amendment thereof  
so incorporated with this Act.

No. 150.

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4th Session, 9th Legislature,  
1 Edward VII., 1901.

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BILL

An Act to incorporate the Chippawa and  
Niagara Falls Electric Railway  
Company.

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First Reading,      March, 1901.

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(Private Bill)

Mr. GROSS.

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TORONTO.

PRINTED BY L. K. CAMERON.

Printer to the King's Most Excellent Majesty.

An Act to incorporate "The Chippawa and Niagara Falls Electric Railway Company."

**W**HEREAS Edwy Baxter, of the village of Fort Erie, in the County of Welland, merchant; Marc W. Comstock, of the city of Buffalo, in the State of New York, counsellor-at-law; Edward E. Tanner, of the said city of Buffalo, counsellor-at-law; W. H. Davis, and Henry B. Zimmerman, both of the said city of Buffalo, gentlemen; Banker R. Paine, of the village of Niagara Falls, in the county of Welland, real estate agent, and Thomas C. Freyyear, of the said city of Buffalo, electrician, have by their petition prayed for an Act of incorporation under the name of "The Chippawa and Niagara Falls Electric Railway Company," for the purpose of constructing and operating an electric railway from some point in the village of Chippawa, in the county of Welland, passing through the said village of Chippawa, the township of Stamford, the village of Niagara Falls, and the town of Niagara Falls, all in the county of Welland, and whereas it is expedient to grant the prayer of the said petition. Preamble

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Edwy Baxter, of the village of Fort Erie, in the county of Welland; Marc W. Comstock, Edward E. Tanner, W. H. Davis, Henry B. Zimmerman, and Thomas C. Freyyear, all of the city of Buffalo, in the State of New York, and Banker R. Paine, of the village of Niagara Falls, in the county of Welland, and such other persons and corporations as shall hereafter become shareholders in the said company, are hereby constituted a body corporate and politic, under the name of "The Chippawa and Niagara Falls Electric Railway Company." Incorporation.

2. The said company is hereby authorized and empowered to survey, lay out, construct, complete, alter and keep in repair a double or single track railway, with iron or steel rails, to be operated by electricity from some point in the village of Chippawa, in the county of Welland, passing through the said village of Chippawa, the township of Stamford, the village of Niagara Falls and the town of Niagara Falls, in the said county of Welland and the said railway or Location of line.

Rev. Stat.,  
c. 269.

any part thereof may be carried along and upon such public highways as may be authorized by the by-laws of the respective corporations having jurisdiction over the same and subject to the restrictions and provisions therein and in *The Electric Railway Act* contained, and under and subject to any agreements made or hereafter to be made between the said company and the councils of any of the said corporations and between the company and the road companies (if any) interested in such highways; and the said company may make and enter into any agreements with any municipal corporation or road company as to the terms of occupancy of any street or highway, subject to the provisions and conditions contained in *The Electric Railway Act* and in *The Municipal Act*, and any Act or Acts amending the same.

Rev. Stat.,  
c. 223.

Agreements  
for connections  
and  
running  
arrangements.

3. <sup>227</sup>The said company shall have power to agree for connections and making running arrangements with The Niagara Falls Park and River Railway Company, if lawfully empowered to enter into such agreement upon terms to be approved by two thirds in value of the shareholders at a special general meeting to be held for that purpose; and it shall also be lawful for the said company hereby incorporated to enter into any agreement or agreements with the said company, if lawfully authorized to enter into any such agreement for the sale or leasing or hiring of any portion of the railway herein authorized, or the use thereof, or for the sale or leasing or hiring any motors, carriages or cars, or any of them, or any part thereof, or touching any service to be rendered by the one company to the other and the compensation therefor, if the arrangements and agreements shall be approved of by two thirds in value of the shareholders voting in person or by proxy, at a special general meeting to be called for that purpose: and every such agreement shall be valid and binding according to the terms and tenor thereof, and the company purchasing, leasing or entering into such agreement for using the said railway may and is hereby authorized to work the said railway in the same manner as if incorporated with its own line, subject to the provisions of any by-law or by-laws of any municipality or municipalities, which may from time to time be in force, so far as the same may affect the company hereby incorporated, or the railway to be built under the authority of this Act, provided that electric power only shall be used in operating any portion of the said railway, or any section or branch thereof, provided also that no such agreement for connections, running arrangements, sale, leasing or hiring of the said railway, or any portion thereof shall be entered into by the said company unless and until the consent of the corporation of the municipality or municipalities having jurisdiction in that respect has first been obtained therefor; but this section shall not be construed as purporting or intending to confer rights or powers upon any company which is not within the legislative authority of the Province of Ontario. <sup>228</sup>



4. The said Edwy Baxter, Marc W. Comstock, Edward E. Tanner, W. H. Davis, Henry B. Zimmerman, Banker R. Paine and Thomas C. Frenyear, with power to add to their number, shall be and are hereby constituted a board of provisional directors of the said company, and shall hold office as such until other directors shall be appointed under the provisions of this Act by the shareholders. Provisional directors.

5. All meetings of the provisional board of directors of the said company shall be held in the village of Niagara Falls, in the county of Welland, or at such other place as may best suit the interests of the said company. Meetings of Provisional directors.

6. The capital stock of the company hereby incorporated shall be \$100,000, to be divided into 1,000 shares of \$100 each. Capital stock.

7. The board of directors of the said company shall consist of not less than five and not more than nine persons who shall be elected in the manner and possess the qualifications prescribed by *The Electric Railway Act*. Directors  
Rev. stat. c. 209.

8. The head office of the said company shall be at the village of Fort Erie. Head office.

9. The several clauses of *The Electric Railway Act*, and of every act in amendment thereof shall be incorporated with and be deemed to be part of this Act, and shall apply to the company, and to the railway to be constructed by them, except only so far as they may be inconsistent with the express enactments hereof, and the expression "this Act" when used herein, shall be understood to include the clauses of the said Electric Railway Act, and of every Act in amendment thereof so incorporated with this Act. Application of Rev. Stat. c. 209.

No. 150.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL

An Act to incorporate The Chippawa and  
Niagara Falls Electric Railway  
Company.

First Reading, 20th March, 1901.

*(Reprinted as amended by Railway  
Committee)*

MR. CROSS.

TORONTO,

PRINTED BY L. K. CAMERON.

Printer to the King's Most Excellent Majesty.

To confirm the sale of the property belonging to the Reformed Presbyterian Church in the City of Toronto.

WHEREAS by the petition of Catherine Peacock it has Preamble.  
been made to appear that the lands and premises hereinafter described were by a certain indenture dated the 27th day of August, 1866, vested in one John Humphries, John Kidd and Daniel Kidd as trustees of the Reformed Presbyterian Church of the City of Toronto in connection with the Synod of the Reformed Presbyterian Church of North America, their successors and assigns, upon certain trusts in said indenture more fully set forth; that said trusts are not now capable of taking effect according to the true intent and meaning of said indenture; that the said John Humphries and Daniel Kidd are both dead and that no trustees have been appointed in their stead; that the said John Kidd as surviving trustee has assumed to convey the said lands to one Charles Smith: that there has been paid into court in the matter of the trusts contained in the conveyance from Isaac White to the trustees of the Reformed Presbyterian Church, Toronto, and of the Imperial Statutes, 10 and 11 Victoria, Chapter 96, intituled "An Act for better securing Trust Funds and for the relief of Trustees," the sum of \$5,704.66 as purchase money therefor; that a certain action is now depending in the High Court of Justice for Ontario wherein the Attorney-General for the Province of Ontario is plaintiff at the relation of Catherine Peacock, and the said John Kidd is defendant, wherein it is sought among other things to administer the property coming within the trusts in the said indenture set forth; and whereas doubts have been raised as to the power of the said John Kidd to convey the said lands and also as to the jurisdiction of the court to administer the money arising from said sale until the same is confirmed, and the petitioner has by her said petition prayed that such sale be confirmed accordingly; and whereas it is expedient to grant the prayer of the said petition:

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Sale of lands  
confirmed.

1. The sale to the said Charles Smith of the said lands and premises, that is to say: All and singular that certain parcel or tract of land and premises situate, lying and being in the City of Toronto aforesaid, comprising part of Park lot number nine in the said City of Toronto, and more particularly known as building lot number one hundred and twenty-five south of Louisa street on a plan of survey of part of the said Park lot number nine made for one John Sincoe McCauley by J. O. Brown, Esquire, Deputy Provincial Surveyor, dated the twelfth day of January, 1850, which said parcel of land is butted and bounded or may be otherwise known as follows, that is to say:—Commencing at the south side of Louisa street at the north east angle of the said building lot number one hundred and twenty-five and about fifty feet east from James street; thence south sixteen degrees east along the eastern boundary of said lot parallel to James street, eighty-eight feet, then south seventy-four degrees west parallel to Louisa street fifty feet more or less to James street; then along the eastern limit of James street eighty-eight feet more or less to Louisa street; then north seventy-four degrees east along the southern limit of Louisa street fifty feet more or less to the place of beginning, be and the same is hereby confirmed, and validated.



No. 151.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

To confirm the sale of the property belonging to the Reformed Presbyterian Church in the City of Toronto.

First Reading, , 1901.

(Private Bill.)

MR. FROY.

TORONTO:  
PRINTED BY L. K. CAMERON,  
Printer to the King's Most Excellent Majesty.

An Act to Incorporate the London, Aylmer and North Shore Electric Railway Company.

**W**HEREAS Mahlon Edward Lyon, of the Town of Aylmer, Preamble.  
 in the County of Elgin, Esquire, William Elzar Stevens,  
 of the Town of Aylmer aforesaid, barrister-at-law, and Coll  
 Sinclair, of the said Town of Aylmer, physician, have by their  
 5 petition prayed for an Act of incorporation, under the name  
 of "The London, Aylmer and North Shore Electric Railway  
 Company," for the purpose of constructing and operating a  
 railway in and from a point in or near the City of London, in  
 the County of Middlesex; thence in a general south-easterly  
 10 direction through the Townships of London, Westminster,  
 Yarmouth, South Dorchester and Malahide, to, in and through  
 the Town of Aylmer, and continuing through Malahide and  
 the Township of Bayham to the unincorporated village of  
 Port Burwell, in the said County of Elgin.

15 Therefore His Majesty, by and with the advice and consent  
 of the Legislative Assembly of the Province of Ontario, enacts  
 as follows:—

1. The said Mahlon Edward Lyon, William Elzar Stevens, Incorpor  
 Coll Sinclair and such other persons, firms and corporations as  
 20 shall hereafter become shareholders of the said company, are  
 hereby constituted a body corporate and politic under the  
 name of "The London, Aylmer and North Shore Electric  
 Railway Company."

2. The said company is hereby authorized and empowered Location of  
 25 to survey, lay out, construct, equip, maintain and operate by line.  
 electricity, and from time to time remove and change a double  
 or single track iron or steel railway of the gauge of four feet  
 eight and one-half inches, with one or more branch or branches  
 and with all necessary side tracks and turnouts for the pass-  
 30 age of cars, carriages or other vehicles adapted to the same,  
 from a point in or near the City of London, in the County of  
 Middlesex: thence in a general south-easterly direction  
 through the Townships of London, Westminster, Yarmouth,  
 South Dorchester and Malahide, to, in and through the Town  
 35 of Aylmer, and continuing through Malahide and the Town-  
 ship of Bayham to the unincorporated Village of Port Burwell,  
 in the said County of Elgin, and the said railway so far as the

same may be operated with electricity may be carried along, upon and across such public highways as may be authorized by the by-laws of the respective corporations having jurisdiction over the same, and subject to the restrictions and provisions therein and in this Act contained, and under and 5 subject to any agreements between the company and the councils of any of the said corporations, and between the company and the road companies (if any) interested in such highways; and the company may make and enter into any agreements with any municipal corporation or road company 10 as to the terms of occupancy of any street or highway, subject to the provisions and conditions contained in this Act and in *The Municipal Act*, or any Act or Acts amending the same.

- Provisional directors.**      **3.** Mahlon Edward Lyon, William Elzar Stevens and Coll 15 Sinclair shall be and are hereby constituted a board of provisional directors of the said company, of whom a majority shall be a quorum, and shall hold office as such until other directors shall be appointed under the provisions of *The Electric Railway Act*. 20
- Number of directors.**      **4.** The number of directors shall not be less than five nor more than nine.
- Head office.**              **5.** The head office of the said company shall be at the Town of Aylmer, in the County of Elgin, and all meetings of the provisional board of directors of the company shall be held at 25 the said Town of Aylmer or at such other place as may best suit the convenience of the company.
- Capital stock**            **6.** The capital stock of the company shall be \$850,000.00, to be divided into 8,500 shares of \$100.00 each.
- Date of annual meeting.**      **7.** The date of the annual meeting of the shareholders shall 30 be fixed by the by-laws of the said company.
- Payments in paid-up stock or bonds.**      **8.** The provisional directors or the elected directors may pay or agree to pay in paid up stock or in the bonds of the said company such sums as they may deem expedient to engineers or contractors, or for the right-of-way, or material, plant, 35 or rolling stock; and also when sanctioned by a vote of the shareholders at any general meeting for the services of the promoters or other persons who may be employed by the directors for the purpose of assisting the directors in furthering the undertaking, or for the purchase of right-of-way, 40 material, plant or rolling stock whether such promoters or other persons be provisional or elected directors or not, and any agreement so made shall be binding on the company.
- Special rates for fruit, milk, etc.**      **9.** The company may make special rates for the carriage of fruit, milk or other perishable goods. 45



10. The company may make and enter into any agreement for the purchase of the rights of the owner or owners of any toll road upon or along which the proposed line of railway may run, and to retain and operate any such toll road under the provisions of *The General Road Companies Act*.

Purchasing toll roads.

11. Any municipality through which the said railway passes and having jurisdiction in the premises may pass a by-law or by-laws empowering the said company to make their road and lay their rails along any of the highways within such municipality, including any road in the possession or under the control of any individual, firm or company with the consent of and subject to the conditions imposed by such road-owner, and under and subject to any agreement or agreements hereafter to be made between any such municipality and the said company: and it shall be and may be lawful for the said company to enter into and perform any such agreements as they may from time to time deem expedient with any municipality, corporation or person for the construction or for the maintenance and repair of gravel or other public roads leading to or used by the said railway.

Laying rails on highways.

12. The said company shall have power to agree for connections and making running agreements with any company or companies now or hereafter lawfully authorized to construct and operate a railway or railways in the municipalities named in section 2 of this Act, if lawfully empowered to enter into such agreement upon terms to be approved by two-thirds in value, of the shareholders at a special general meeting to be held for that purpose; and it shall also be lawful for the said company to enter into any agreement or agreements with the said companies, or any of them if lawfully authorized to enter into any such agreement for the sale or leasing or hiring of any portion of the railway herein authorized or the use thereof for the sale or leasing or hiring any motors, carriages or cars or any of them or any part thereof or touching any service to be rendered by one company to the other and the compensation therefor, if the agreement and agreements shall be approved of by two-thirds in value of the shareholders voting in person or by proxy at a special general meeting to be called for that purpose: and every such agreement shall be valid and binding according to the terms and tenor thereof, and the company purchasing, leasing or entering into such agreement for using the said railway may and are hereby authorized to work the said railway in the same manner as if incorporated with their own line, subject to the provisions of any by-law or by-laws of the said municipality which may from time to time be enforced so far as the same may affect the company hereby incorporated, or the railway to be built under the authority of this Act, provided that electric power only shall be used in operating any portion of the said railway, or any section or branch thereof, provided also that no such agreement for con-

Agreements for running arrangements, etc., with other companies.

nections, running arrangements, sale, leasing or hiring of the said railway or any portion thereof shall be entered into by the said company unless and until the consent of the corporation of the municipality or municipalities having jurisdiction in that respect, has first been obtained thereto; but this section shall not be construed as purporting or intending to confer rights or powers upon any company which is not within the Legislative authority of the Province of Ontario. 5

Application of  
Rev. Stat.  
c. 209.

**13.** The several clauses of *The Electric Railway Act* and every Act in amendment thereof, shall be incorporated with and be deemed to be a part of this Act; and shall apply to the company and to the railway to be constructed by them, except only so far as that may be inconsistent with the express enactments hereof; and the expression "this Act" when used herein shall be understood to include the clauses of the said *Electric Railway Act* and every Act and amendment thereof so incorporated with this Act. 10 15



No. 152.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

An Act to incorporate The London, Aylmer  
and North Shore Electric Railway.

First Reading 90th March, 1901.

(Private Bill)

MR. FAYOR.

TORONTO:

PRINTED BY L. K. CAMERON,  
Printer to the King's Most Excellent Majesty.

An Act to incorporate the London, Aylmer and North Shore Electric Railway Company.

WHEREAS Mahlon Edward Lyon, of the Town of Aylmer, <sup>Preamble.</sup> in the County of Elgin, Esquire, William Elzar Stevens, of the Town of Aylmer aforesaid, barrister-at-law, and Coll Sinclair, of the said Town of Aylmer, physician, have by their petition prayed for an Act of incorporation, under the name of "The London, Aylmer and North Shore Electric Railway Company," for the purpose of constructing and operating <sup>an electric</sup> railway in and from a point in or near the City of London, in the County of Middlesex; thence in a general south-easterly direction through the Townships of London, Westminster, <sup>North</sup> North Dorchester, <sup>Yarmouth</sup>, South Dorchester and Malahide, to, in and through the Town of Aylmer, and continuing through <sup>the said</sup> Township of <sup>Malahide</sup> Malahide and the Township of Bayham to the unincorporated village of Port Burwell, in the County of Elgin.

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

<sup>1.</sup> Mahlon Edward Lyon, and William Elzar Stevens, both <sup>Incorporation.</sup> of the Town of Aylmer, in the County of Elgin, Cecil R. Luton and Robert M. Luton both of the City of Grand Rapids, in the State of Michigan, and William H. Patterson, of the City of Philadelphia, in the State of Pennsylvania, <sup>and such other persons, firms and corporations as shall hereafter become shareholders of the said company, are hereby constituted a body corporate and politic under the name of "The London, Aylmer and North Shore Electric Railway Company."</sup>

<sup>2.</sup> The said company is hereby authorized and empowered <sup>Location of line.</sup> to survey, lay out, construct, equip, maintain and operate by electricity, and from time to time remove and change a double or single track iron or steel railway of the gauge of four feet eight and one-half inches, with one or more branch or branches and with all necessary side tracks and turnouts for the passage of cars, carriages or other vehicles adapted to the same, from a point in or near the City of London, in the County of Middlesex; thence in a general south-easterly direction through the Townships of London, Westminster, <sup>North</sup> North Dorchester, <sup>Yarmouth</sup>, South Dorchester and Malahide, to, in

and through the Town of Aylmer, and continuing through ~~the~~ the said Township of ~~the~~ Malahide and the Township of Bayham to the unincorporated Village of Port Burwell, in the County of Elgin, and the said railway so far as the same may be operated *by* electricity may be carried along, upon and across such public highways as may be authorized by the by-laws of the respective corporations having jurisdiction over the same, and subject to the restrictions and provisions therein and in this Act contained, and under and subject to any agreements between the company and the councils of any of the said corporations, and between the company and the road companies (if any) interested in such highways: and the company may make and enter into any agreements with any municipal corporation or road company as to the terms of occupancy of any street or highway, subject to the provisions and conditions contained in this Act and in *The Municipal Act*, or any Act or Acts amending the same.

Provisional directors.

3. ~~the~~ The said ~~the~~ Mahlon Edward Lyon, William Elzar Stevens, ~~and~~ Cecil R. Luton, Robert M. Luton and William H. Patterson ~~shall~~ shall be and are hereby constituted a board of provisional directors of the said company, of whom a majority shall be a quorum, and shall hold office as such until other directors shall be appointed under the provisions of *The Electric Railway Act*.

Rev. Stat. c. 203.

Number of directors.

4. The number of directors shall not be less than five nor more than nine.

Head office.

5. The head office of the said company shall be at the Town of Aylmer, in the County of Elgin, and all meetings of the provisional board of directors of the company shall be held at the said Town of Aylmer or at such other place as may best suit the convenience of the company.

Capital stock

6. The capital stock of the company shall be \$850,000.00, to be divided into 8,500 shares of \$100.00 each.

Date of annual meeting.

7. The date of the annual meeting of the shareholders shall be fixed by the by-laws of the said company.

Payments in paid-up stock or bonds.

8. The provisional directors or the elected directors may pay or agree to pay in paid up stock or in the bonds of the said company such sums as they may deem expedient to engineers or contractors, or for the right of way, or material, plant, or rolling stock; and also when sanctioned by a vote of the shareholders at any general meeting for the services of the promoters or other persons who may be employed by the directors for the purpose of assisting the directors in furthering the undertaking, or for the purchase of right of way, material, plant or rolling stock whether such promoters or other persons be provisional or elected directors or not, and any agreement so made shall be binding on the company.

9. The company may make special rates for the carriage of fruit, milk or other perishable goods.

Special rates for fruit, milk, etc.

10. The said company shall have power to agree for connections and making running agreements with <sup>the</sup>The Woodstock, Thames Valley and Ingersoll Electric Railway Company and The London Street Railway Company <sup>if</sup> lawfully empowered to enter into such agreements upon terms to be approved by two-thirds in value, of the shareholders at a special general meeting to be held for that purpose; and it shall also be lawful for the said company to enter into any agreement or agreements with the said companies, or any of them if lawfully authorized to enter into any such agreement for the sale or leasing or hiring of any portion of the railway herein authorized or the use thereof or for the sale or leasing or hiring any motors, carriages or cars or any of them or any part thereof or touching any service to be rendered by one company to the other and the compensation therefor, if the agreement and agreements shall be approved of by two-thirds in value of the shareholders voting in person or by proxy at a special general meeting to be called for that purpose; and every such agreement shall be valid and binding according to the terms and tenor thereof, and the company purchasing, leasing or entering into such agreement for using the said railway may and are hereby authorized to work the said railway in the same manner as if incorporated with their own line, subject to the provisions of any by-law or by-laws of *any* municipality <sup>or</sup> municipalities <sup>which</sup> may from time to time be <sup>in</sup> force <sup>so</sup> far as the same may affect the company hereby incorporated, or the railway to be built under the authority of this Act, provided that electric power only shall be used in operating any portion of the said railway, or any section or branch thereof, provided also that no such agreement for connections, running arrangements, sale, leasing or hiring of the said railway or any portion thereof shall be entered into by the said company unless and until the consent of the corporation of the municipality or municipalities having jurisdiction in that respect, has first been obtained thereto; but this section shall not be construed as purporting or intending to confer rights or powers upon any company which is not within the Legislative authority of the Province of Ontario.

Agreements for running arrangements, etc., with other companies.

11. The several clauses of *The Electric Railway Act* and every Act in amendment thereof, shall be incorporated with and be deemed to be part of this Act; and shall apply to the company and to the railway to be constructed by them, except only so far as they may be inconsistent with the express enactments hereof; and the expression "this Act" when used herein shall be understood to include the clauses of the said Electric Railway Act and every Act *in* amendment thereof so incorporated with this Act.

Application of Rev. Stat. c. 209.

No. 152.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

An Act to incorporate The London, Aylmer  
and North Shore Electric Railway.

First Reading 19th March, 1901.

*(Reprinted as amended by Revision  
Committee)*

MR. TAYLOR.

TORONTO:

PRINTED BY L. K. CAMERON.

Printer to the King's Most Excellent Majesty



An Act respecting the Subsidiary High Court of the Ancient Order of Foresters in the Dominion of Canada.

**W**HEREAS the corporation known as the Subsidiary High Court of the Ancient Order of Foresters in the Dominion of Canada, hereinafter referred to as the Provincial Corporation, was originally incorporated under chapter 167, of the Revised Statutes of Ontario, 1877; and whereas the Subsidiary High Court of the Ancient Order of Foresters in the Dominion of Canada, hereinafter called the Dominion Corporation, was incorporated by an Act of the Parliament of Canada, being chapter 91, of the statutes of 1898, and the said chapter 91 of the statutes of 1898 received the Royal Assent on the 13th day of June, 1898; and whereas the said Provincial Corporation, from and after the said 13th day of June, 1898, ceased to use or exercise any of its corporate powers; and whereas, from and after the said 13th day of June, 1898, the Dominion Corporation assumed all the contracts and liabilities and has paid all the debts and has performed and fulfilled all the duties and obligations of the said Provincial Corporation as the same have matured, and there are no debts of the said Provincial Corporation remaining now undischarged; and whereas the said Dominion Corporation has by petition prayed that it may be enacted that all the assets, interests, rights, credits, effects and property, real, personal and mixed, of whatsoever kind and wheresoever situate, belonging to the said Provincial Corporation, or to which the said Provincial Corporation was or might become entitled, shall be deemed to have been as from the said 13th day of June, 1898, transferred to and vested in the said Dominion Corporation; and whereas the said Dominion Corporation has by its petition further prayed that it may be enacted that all persons holding contracts of insurance or otherwise entitled to claim against the said Provincial Corporation shall be deemed to have become entitled as from the said date to claim against the said Dominion Corporation subject to the provisions of the constitution and laws of the said Dominion Corporation from time to time in force; and whereas it is expedient to grant the prayer of the said petition:

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Assignment  
by Provincial  
to Dominion  
Corporation  
confirmed.

1. The said Provincial Corporation shall be deemed to have on the said 13th day of June, 1898, granted, assigned, transferred and set over unto the said Dominion Corporation, its successors and assigns to its and their own use absolutely, all the assets, interests, rights, credits, effects and property, real, personal and mixed, of whatsoever kind and wheresoever situate, of or belonging to the said Provincial Corporation, or to which the said Provincial Corporation was, is or shall hereafter be or become entitled. 5

Assets of  
Provincial  
Corporation  
vested in  
Dominion  
Corporation.

2. All the assets, interests, rights, credits, effects and property, real, personal and mixed, of whatsoever kind and wheresoever situate belonging to the said Provincial Corporations or to which the said Provincial Corporation was, is or shall hereafter be or become entitled shall be deemed as on, from and after the said 13th day of June, 1898, to have been and to be transferred to and vested in the said Dominion Corporation, its successors and assigns to its and their own use absolutely for all the estate, right, title, interest, claim, property and demand which the said Provincial Corporation had or was entitled to have on the said 13th day of June, 1898, or to which the said Provincial Corporation was, is or shall hereafter be entitled, and it shall be deemed that as from the said day the said Dominion Corporation was and is empowered to exercise all the powers, rights and privileges in relation to the said assets, interests, rights, credits, effects and property, real, personal and mixed, of whatsoever kind and wheresoever situate that the said Provincial Corporation had, has or might have had, and no suit, action or proceeding being carried on or power being exercised shall be discontinued or abated by or on account of this Act, but the same may continue in the name of the said Provincial Corporation and the said Dominion Corporation shall have the same rights and remedies and be subject to the same liabilities and duties and shall pay and receive the like costs as if the suits, actions or proceedings had been commenced or defended in the name of the said Dominion Corporation. 10 15 20 25 30 35

Claims against  
Provincial to  
be claims  
against  
Dominion  
Corporation

3. All persons holding contracts of insurance or otherwise entitled to claim against the Provincial Corporation shall be deemed to have become entitled as from the said 13th day of June, 1898, to claim against the Dominion Corporation subject to the provisions of the constitution and laws of the said Dominion Corporation from time to time in force, and a release, discharge or surrender given on, from and after the said date to or by the said Dominion Corporation of any debts, liability, right or interest of the said Provincial Corporation, shall be deemed to have been and to be a sufficient release, discharge or surrender of such debt, liability, right or interest. 40 45

Registration  
of instruments  
of transfer.

4. For the purpose of *The Land Titles Act* or of registration under *The Registry Act* or of *The Bills of Sale and Chattel Mortgage Act* or any other Act of the Province, it shall be

sufficient in order to show the transmission of title from the Provincial Corporation to the Dominion Corporation if any instrument affecting lands or any interest in lands or personal property or any interest in personal property included or intended to be included in the aforesaid transfer from the said Provincial Corporation to the said Dominion Corporation recite or mention the title of this Act and the chapter and statute year in which this Act was passed.

No. 153.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

An Act respecting the Subsidiary High  
Court of the Ancient Order of Foresters  
in the Dominion of Canada.

First Reading,                      March, 1901.

(Private Bill.)

Mr. PEESON.

TORONTO :

PRINTED BY E. K. GARRISON.

Printer to the King & Most Excellent Majesty.

An Act respecting the Subsidiary High Court of the  
Ancient Order of Foresters in the Dominion of  
Canada

**W**HEREAS the corporation known as the Subsidiary High Court of the Ancient Order of Foresters in the Dominion of Canada, hereinafter referred to as the Provincial Corporation, was originally incorporated under chapter 167, of the Revised Statutes of Ontario, 1877 : and whereas the Subsidiary High Court of the Ancient Order of Foresters in the Dominion of Canada, hereinafter called the Dominion Corporation, was incorporated by an Act of the Parliament of Canada, being chapter 91, of the statutes of 1898, and the said chapter 91 of the statutes of 1898 received the Royal Assent on the 13th day of June, 1898 : and whereas the said Provincial Corporation, from and after the said 13th day of June, 1898, ceased to use or exercise any of its corporate powers ; and whereas, from and after the said 13th day of June, 1898, the Dominion Corporation assumed all the contracts and liabilities and has paid all the debts and has performed and fulfilled all the duties and obligations of the said Provincial Corporation as the same have matured, and there are no debts of the said Provincial Corporation remaining now undischarged ; and whereas the said Dominion Corporation has by petition prayed that it may be enacted that all the assets, interests, rights, credits, effects and property, real, personal and mixed, of whatsoever kind and wheresoever situate, belonging to the said Provincial Corporation, or to which the said Provincial Corporation was or might become entitled, shall be deemed to have been as from the said 13th day of June, 1898, transferred to and vested in the said Dominion Corporation, and whereas the said Dominion Corporation has by its petition further prayed that it may be enacted that all persons holding contracts of insurance or otherwise entitled to claim against the said Provincial Corporation shall be deemed to have become entitled as from the said date to claim against the said Dominion Corporation subject to the provisions of the constitution and laws of the said Dominion Corporation from time to time in force ; and whereas it is expedient to grant the prayer of the said petition :

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :—

Assignment  
by Provincial  
to Dominion  
Corporation  
confirmed.

1. The said Provincial Corporation shall be deemed to have on the said 13th day of June, 1898, granted, assigned, transferred and set over unto the said Dominion Corporation, its successors and assigns to its and their own use absolutely, all the assets, interests, rights, credits, effects and property, real, personal and mixed, of whatsoever kind and wheresoever situate, of or belonging to the said Provincial Corporation, or to which the said Provincial Corporation was, is or shall hereafter be or become entitled.

Assets of  
Provincial  
Corporation  
vested in  
Dominion  
Corporation.

2. All the assets, interests, rights credits, effects and property, real, personal and mixed, of whatsoever kind and wheresoever situate belonging to the said Provincial Corporations or to which the said Provincial Corporation was, is or shall hereafter be or become entitled shall be deemed as on, from and after the said 13th day of June, 1898, to have been and to be transferred to and vested in the said Dominion Corporation, its successors and assigns to its and their own use absolutely for all the estate, right, title, interest, claim, property and demand which the said Provincial Corporation had or was entitled to have on the said 13th day of June 1898, or to which the said Provincial Corporation was, is or shall hereafter be entitled, and it shall be deemed that as from the said day the said Dominion Corporation was and is empowered to exercise all the powers, rights and privileges in relation to the said assets, interests, rights, credits, effects and property, real, personal and mixed, of whatsoever kind and wheresoever situate that the said Provincial Corporation had, has or might have had, and no suit, action or proceeding being carried on or power being exercised shall be discontinued or abated by or on account of this Act, but the same may continue in the name of the said Provincial Corporation and the said Dominion Corporation shall have the same rights and remedies and be subject to the same liabilities and duties and shall pay and receive the like costs as if the suits, actions or proceedings had been commenced or defended in the name of the said Dominion Corporation.

Claims against  
Provincial to  
be claims  
against  
Dominion  
Corporation

3. All persons holding contracts of insurance or otherwise entitled to claim against the Provincial Corporation shall be deemed to have become entitled as from the said 13th day of June, 1898, to claim against the Dominion Corporation subject to the provisions of the constitution and laws of the said Dominion Corporation from time to time in force, and a release, discharge or surrender given on, from and after the said date to or by the said Dominion Corporation of any debts, liability, right or interest of the said Provincial Corporation, shall be deemed to have been and to be a sufficient release, discharge or surrender of such debt, liability, right or interest.

Registration  
of instruments  
of transfer.

4. For the purpose of *The Land Titles Act* or of registration under *The Registry Act* or of *The Bills of Sale and Chattel Mortgage Act* or any other Act of the Province, it shall be

sufficient in order to show the transmission of title from the Provincial Corporation to the Dominion Corporation if any instrument affecting lands or any interest in lands or personal property or any interest in personal property included or intended to be included in the aforesaid transfer from the said Provincial Corporation to the said Dominion Corporation recite or mention the title of this Act and the chapter and statute year in which this Act was passed.

**§ 5.** Nothing in this Act contained shall be deemed to affect or interfere with the funds or assets of the subordinate courts.

**§ 6.** Nothing in this Act contained shall prejudice the right of any plaintiff in any action now pending to make any claim now open to him, but he shall have the same right thereto as if this Act had not been passed.

No. 153.

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4th Session, 9th Legislature,  
1 Edward VII., 1901.

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BILL.

An Act respecting the Substantive High  
Court of the Ancient Order of Foresters  
in the Dominion of Canada.

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First Reading, 14th March, 1901.

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*(Reprinted as amended by Private Bills  
Committee)*

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MR. PRESTON.

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TORONTO:  
PRINTED BY L. K. CAVENON,  
Printer to the King's Most Excellent Majesty.



### An Act to consolidate and re-arrange the Debenture Debt of the City of Guelph.

**WHEREAS**, the Corporation of the City of Guelph has by Preamble, petition represented that the debenture debt of the said city on the 31st day of December, 1901, was \$507,400 exclusive of the amount of local improvement debentures, which said sum becomes due and payable as follows:

	1901	.....	\$14,500
	1902	.....	14,600
	1903	.....	14,900
	1904	.....	15,100
10	1905	.....	15,400
	1906	.....	5,800
	1907	.....	6,200
	1908	.....	12,100
	1909	.....	1,600
15	1910	.....	18,000
	1911	.....	7,700
	1912	.....	2,500
	1917	.....	244,000
	1918	.....	20,000
20	1919	.....	33,000
	1920	.....	12,000
	1921	.....	30,600
	1923	.....	40,000
			<hr/>
			\$507,400

25 And whereas it has been made to appear that the said indebtedness was incurred largely in providing a system of water works for the said city, in investing in railway debentures now held by the said city, in erecting and extending the collegiate institute and public schools of the said city, and in  
30 improving the said city by public works and buildings; and whereas it would be conducive to the welfare and interests of the said city, as well as greatly facilitate their financial arrangements, to place the debenture debt of the City of Guelph on a more satisfactory basis, both as to the payment thereof and otherwise; and whereas it has also been made to appear that  
35 it is desirable to issue, sell and dispose of new debentures to the amount of \$507,400 to enable the said city to redeem the aforesaid debentures which are now out-standing, and that it is also desirable that the corporation should be empowered

to establish a sinking fund to be called the "general sinking fund." for the purpose and upon the terms in this act contained; and whereas it has also been made to appear that the sum of \$109,911.32 of the sinking fund now on hand will, with the accumulations therefrom and the amounts to be annually levied as hereinafter provided to form part of the said general fund, be sufficient to redeem the principal money of the new debentures to be issued and pay all interest on the city's whole debenture debt; and whereas it will be conducive to the well-being of the inhabitants of the said city and to the prosperity of the said city to permit the said city to apply the balance of the present sinking fund not required as aforesaid, in the construction of a system of sewerage in the said city; and whereas it is expedient to grant permission to consolidate the said debt and issue new debentures and make other provisions in the premises upon the terms and with the safe-guards hereinafter in this Act contained.

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Power to issue debentures for \$507,400.

1. The Corporation of the City of Guelph may from time to time pass a by-law or by-laws for authorizing the issue of and may issue new debentures of the said city to an amount not exceeding in the aggregate the sum of \$507,400 for raising by way of loan and may from time to time raise by way of loan upon the credit of such new debentures a sum or sums of money not exceeding in the whole the sum of \$507,400 of lawful money of Canada for the purpose of paying or redeeming the debentures firstly in the preamble of this Act mentioned, and the said new debentures to be issued from year to year, to amounts not exceeding in any year the amounts of the present debentures as specified in the preamble hereof.

Term of debentures.

2. The new said debentures shall be payable in thirty years from the day of the date of the respective issues thereof at any place in Canada, Great Britain, the United States of America or elsewhere, and may be payable in any currency, and such new debentures shall be in sums of not less than \$100 Canadian currency or £20 sterling.

Form of debenture.

3. The said new debentures shall be under the common seal of the said city, and signed by the mayor and countersigned by the treasurer of the said city, and may be in the form or to the effect of schedule "B" to this Act, or as near thereto as the corporation may find convenient, according to the places where and the money in which the same are made payable.

Interest.

4. Coupons shall be attached to the said new debentures or the payment of the interest thereon at such rate not ex-

ceeding 3½ per centum per annum as to the said corporation may seem meet and such interest shall be payable half-yearly in each and every year at the places and on the days mentioned therein, and the coupons attached thereto.

5     **5.** The said new debentures and any and all moneys arising therefrom shall be applied by the said corporation in the redemption of the debentures of the said City of Guelph firstly mentioned in the preamble to this Act, hereinafter called the old debentures, and in no other manner and for no other purpose whatsoever.

15     **6.** From and after the first day of January 1901, the said corporation shall, in place of the rates required to be levied under existing by-laws providing for the issue of the debentures in the preamble hereof mentioned, cause to be annually raised, levied and collected upon the whole of the then rateable or assessed property of the said corporation the several sums in each year set forth in Schedule "C" to this Act, and such sums shall be applied, in the first place, in payment of the interest on all the existing old debentures of the said corporation (exclusive of local improvement debentures) and of the interest on all the new debentures to be issued under the authority of this Act which may from time to time be existing; and, in the second place, any balance remaining after satisfying the said interest shall be applied towards the general sinking fund hereinafter mentioned; the said several sums to be so raised by a rate of so much on the dollar as shall be sufficient to produce in each year the amounts set forth in the said Schedule "C" and after the first day of January, 1901, it shall not be necessary to raise or levy the rate or rates provided under the by-laws of the said corporation or under the special Acts of the Legislative Assembly under which the said old debentures were severally issued.

35     **7.** The said corporation shall carry the sum of \$109,911.32 of the present sinking fund account to the credit of a general sinking fund hereby established for the redemption of the principal money of the new debentures to be issued hereunder, and the said corporation shall apply to such annual sinking fund account from time to time so much of the sums to be yearly raised as set forth in the said Schedule "C" as shall not be required to pay the said annual interest on the old and new debentures from time to time existing against the said municipality, and shall also apply to the said general sinking fund account all interest from time to time received upon the debentures or other securities held for such fund and shall invest the same as hereinafter mentioned, and with respect to the balance of the present sinking fund account, being the sum of \$51,634, the said corporation shall have power to apply the same towards the construction in the city

of a system of sewers and to no other purpose, when any such system on the local improvement plan or otherwise shall have been adopted by the council of the said city with the approval of the electors entitled to vote on by-laws creating debts under the provisions of *The Municipal Act*. 5

Rev. Stat.  
c. 223.

Investment of  
sinking fund  
money.

8. The said corporation shall have power to invest any moneys standing at the credit of the general sinking fund created under this Act, in the purchase and redemption of the said new debentures or any of the said old debentures at any time previous to the maturity of any such debentures; provided always that in every such case the said corporation shall continue to levy and provide and apply as aforesaid from year to year the annual sums set forth in the said Schedule "C" in the same manner precisely as if such debentures had not been so purchased or redeemed. No moneys of the general sinking fund created under this Act shall be invested otherwise than in the debentures of the said corporation without the sanction of the Lieutenant Governor-in-Council, provided nothing herein shall prevent the investment temporarily in proper securities of part of the said general sinking fund until such time as debentures of the said corporation shall be available for purchase hereunder. Any debentures or other securities in which the general sinking fund may be invested may be sold and converted into money in order that it may be used and applied according to this Act. 10 15 20

Sinking fund  
to be applied  
to other  
purposes.

9. The money or securities belonging to such general sinking fund account shall on no account be used or applied by the said corporation or the treasurer thereof for any other purposes than those authorized by this Act. 25

Providing  
difference  
revenue from  
rates and  
investments  
of sinking  
fund.

10. The corporation shall be bound to make good and provide in each year out of the general revenue of the said city for such year, the difference (if any) that may arise in such year between the interest that shall accrue on the invested general sinking funds and the interest which should accrue on such funds calculated at the rate of  $3\frac{1}{2}$  per cent. per annum, and place the same at the credit of the said general sinking fund account. 30 35

Rates not to  
be higher than  
fifteen cents.

11. Notwithstanding the provisions of *The Municipal Institutions Act*, it shall not until the expiration of the year 1918, be lawful for the Council of the Municipal Corporation of the City of Guelph to assess, levy or collect in any one year on the whole rateable property within the said city a rate higher in the aggregate than fifteen cents on the dollar on the actual value thereof, exclusive of the school and local improvement rates and the amounts set forth in schedule "C" hereof shall be a first charge on the rates so to be levied. 40 45

12. All expenses attending the sale or negotiation of the new debentures to be issued under this Act and all discounts thereon (if any) shall be paid out of the general revenue of the said city in the year of, or the year succeeding, such sale or negotiation. Expenses consequent on Act.

13. The by-law or by-laws of the said corporation passed under the authority of this act shall not require to be submitted to or have the assent of the electors of the said city before the final passing thereof, and it shall be sufficient if any such by-law be in the form or to the effect of the form in Schedule "A" to this act set forth notwithstanding any provisions of *The Municipal Act*. Assent of electors not required.

14. No irregularity in the form of the said debentures or of the by-laws authorizing the issues thereof, shall render the same invalid or illegal, or be allowed as a defence to any action brought against the said corporation for the recovery of the amount of the said debentures or interest or any or either of them or any part thereof. Informalities not to invalidate debentures.

15. The purchaser of any of the debentures which shall be issued under the authority of this Act shall not be bound to see to the application of his purchase money, and any of the said debentures, which shall purport to have been issued under the authority of this Act shall be conclusively presumed in favor of the purchaser thereof to have been so issued. Purchasers not bound to see to application of proceeds.

16. This Act may be known as *The Guelph Debt Consolidation Act, 1901*. Short title.

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## SCHEDULE A.

## FORM OF BY-LAW. THE CORPORATION OF THE CITY OF GUELPH.

A by-law to authorize the issue of \$                      debentures under the authority of "The Guelph Debt Consolidation Act, 1901."

Whereas it is necessary to raise a loan of \$                      for the purpose of paying off and redeeming outstanding debentures of the corporation of the City of Guelph, under the provisions of "The Guelph Debt Consolidation Act, 1901:"

Be it therefore enacted by the municipal council of the corporation of the City of Guelph:—

1. The mayor and treasurer are hereby authorized and directed to borrow, on the credit of the said corporation, under the authority of the said Act, and for the purposes hereinbefore mentioned, the sum of \$                     , and to issue the debentures of the said corporation for such purpose to the amount aforesaid.

2. The said debentures shall be payable in manner following, that is to say, in thirty years from the issue thereof, and at

3. The said debentures shall bear interest at the rate of                      per cent. per annum, payable half-yearly on the                      days of                      and                      in each year during the currency thereof, and shall have coupons attached for the payment of the interest.

4. The said debentures shall be drawn in sums of not less than \$100 Canadian currency, or \$20 sterling money of Great Britain, and may be made payable in Canadian currency, sterling money of Great Britain or any other currency.

5. The proceeds of the loan hereby authorized to be effected and of the debentures hereby authorized to be issued shall be applied for the purposes mentioned in the said Act and for no other purpose whatsoever.

Passed in open council this                      day of                      A.D., 1901.

(L.S.)

A. B.,  
Mayor.  
C. D.,  
Clerk.

## SCHEDULE B.

## FORM OF DEBENTURE.

No.                      £ sterling,                      \$                     , Province of Ontario,  
City of Guelph.

Under and by virtue of the Act passed in the first year of the reign of His Majesty King Edward the Seventh, known as "The Guelph Debt Consolidation Act, 1901," and by virtue of By-law No.                      of the corporation of the City of Guelph, passed under the powers contained in the said Act:

The corporation of the City of Guelph promises to pay the bearer at                     , in                      the sum of                      pounds sterling or                      dollars Canadian currency, on the                      day of                      A.D., 19                     , and the half-yearly coupons hereto attached as the same shall severally become due.

(L.S.)

A. B.,  
Mayor.  
C. D.,  
Treasurer.

## SCHEDULE C.

## AMOUNTS TO BE LEVIED IN EACH YEAR.

1901	.....	\$26,292 00
1902	.....	25,965 75
1903	.....	25,637 25
1904	.....	25,302 00
1905	.....	24,962 25
1906	.....	24,615 75
1907	.....	24,485 25
1908	.....	24,379 87
1909	.....	24,124 50
1910	.....	23,880 54
1911	.....	23,800 25
1912	.....	23,748 95
1913	.....	23,740 00
1914	.....	23,740 00
1915	.....	23,740 00
1916	.....	23,740 00
1917	.....	23,740 00
1918	.....	21,065 00
1919	.....	20,957 92
1920	.....	20,253 00
1921	.....	20,152 50
1922	.....	20,277 50
1923	.....	19,194 50
1924	.....	19,027 50
1925	.....	19,027 50
1926	.....	19,027 50
1927	.....	19,027 50
1928	.....	19,027 50
1929	.....	19,027 50
1930	.....	19,027 50
1931	.....	19,027 50
1932	.....	18,483 75
1933	.....	17,936 25
1934	.....	17,377 50
1935	.....	16,811 50
1936	.....	16,233 75
1937	.....	16, 06 25
1938	.....	15,732 19
1939	.....	15,3 0 00
1940	.....	14,631 96
1941	.....	14,394 25
1942	.....	14,210 55
1943	.....	14,212 50
1944	.....	14,212 50
1945	.....	14,212 50
1946	.....	14,212 50
1947	.....	14,212 50
1948	.....	4,686 50
1949	.....	3,613 58
1950	.....	3,637 50
1951	.....	2,625 00
1952	.....	2,625 00
1953	.....	500 00





An Act to consolidate and re-arrange the Debenture Debt of the City of Guelph.

WHEREAS, the Corporation of the City of Guelph has by Preamble. petition represented that the debenture debt of the said city on the 31st day of December, 1901, was \$507,400 exclusive of the amount of local improvement debentures, which said sum becomes due and payable as follows:

1901 .....	\$14,500
1902 .....	14,600
1903 .....	14,900
1904 .....	15,100
1905 .....	15,400
1906 .....	5,800
1907 .....	6,200
1908 .....	12,100
1909 .....	1,600
1910 .....	18,000
1911 .....	7,700
1912 .....	2,500
1917 .....	244,000
1918 .....	20,000
1919 .....	33,000
1920 .....	12,000
1921 .....	30,000
1923 .....	40,000
	\$507,400

And whereas it has been made to appear that the said indebtedness was incurred largely in providing a system of water works for the said city, in investing in railway debentures now held by the said city, in erecting and extending the collegiate institute and public schools of the said city, and in improving the said city by public works and buildings: and whereas it would be conducive to the welfare and interests of the said city, as well as greatly facilitate their financial arrangements, to place the debenture debt of the City of Guelph on a more satisfactory basis, both as to the payment thereof and otherwise: and whereas it has also been made to appear that it is desirable to issue, sell and dispose of new debentures to the amount of \$507,400 to enable the said city to redeem the aforesaid debentures which are now out-standing, and that it is also desirable that the corporation should be empowered to establish a sinking fund to be called the "general sinking fund," for the purpose and upon the terms in this act contained

and whereas it has also been made to appear that the sum of \$110,000 of the sinking fund now on hand will, with the accumulations therefrom and the amounts to be annually levied as hereinafter provided to form part of the said general fund, be sufficient to redeem the principal money of the new debentures to be issued and pay all interest on the city's whole debenture debt; and whereas it will be conducive to the well-being of the inhabitants of the said city and to the prosperity of the said city to permit the said city to apply the balance of the present sinking fund not required as aforesaid, in the construction of a system of sewerage in the said city; and whereas it has also been made to appear that holders of the said existing debentures to a considerable amount approve of the said petition; and whereas no opposition whatever has been offered to the said petition; and whereas it is expedient to grant permission to consolidate the said debt and issue new debentures and make other provisions in the premises upon the terms and with the safeguards hereinafter in this Act contained.

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Power to issue  
debentures for  
\$507,400.

1. The Corporation of the City of Guelph may from time to time pass a by-law or by-laws for authorizing the issue of and may issue new debentures of the said city to an amount not exceeding in the aggregate the sum of \$507,400 for raising by way of loan and may from time to time raise by way of loan upon the credit of such new debentures a sum or sums of money not exceeding in the whole the sum of \$507,400 of lawful money of Canada for the purpose of paying or redeeming the debentures firstly in the preamble of this Act mentioned, and the said new debentures to be issued from year to year, to amounts not exceeding in any year the amounts of the present debentures as specified in the preamble hereof.

Term of  
debentures.

2. The new said debentures shall be payable in thirty years from the day of the date of the respective issues thereof at any place in Canada, Great Britain, the United States of America or elsewhere, and may be payable in any currency, and such new debentures shall be in sums of not less than \$100 Canadian currency or £20 sterling.

Form of  
debenture.

3. The said new debentures shall be under the common seal of the said city, and signed by the mayor and countersigned by the treasurer of the said city, and may be in the form or to the effect of Schedule "B" to this Act, or as near thereto as the corporation may find convenient, according to the places where and the money in which the same are made payable.

Interest.

4. Coupons shall be attached to the said new debentures or the payment of the interest thereon at such rate not ex-

ceeding 3 $\frac{3}{4}$  per centum per annum as to the said corporation may seem meet, and such interest shall be payable half-yearly in each and every year at the places and on the days mentioned therein, and the coupons attached thereto.

5. The said new debentures and any and all moneys arising therefrom shall be applied by the said corporation in the redemption of the debentures of the said City of Guelph firstly mentioned in the preamble to this Act, hereinafter called the old debentures, and in no other manner and for no other purpose whatsoever. Application of proceeds

6. From and after the first day of January, 1901, the said corporation shall, in place of the rates required to be levied under existing by laws providing for the issue of the debentures in the preamble hereof mentioned, cause to be annually raised, levied and collected upon the whole of the then rateable or assessed property of the said corporation the several sums in each year set forth in Schedule "C" to this Act, and such sums shall be applied, in the first place, in payment of the interest on all the existing old debentures of the said corporation (exclusive of local improvement debentures) and of the interest on all the new debentures to be issued under the authority of this Act which may from time to time be existing; and, in the second place, any balance remaining after satisfying the said interest shall be applied towards the general sinking fund hereinafter mentioned; the said several sums to be so raised by a rate of so much on the dollar as shall be sufficient to produce in each year the amounts set forth in the said Schedule "C," and after the first day of January, 1901, it shall not be necessary to raise or levy the rate or rates provided under the by-laws of the said corporation or under the special Acts of the Legislative Assembly under which the said old debentures were severally issued. Special rates.

7. The said corporation shall carry the sum of \$110,000 of the present sinking fund account to the credit of a general sinking fund account hereby established for the redemption of the principal money of the new debentures to be issued hereunder, and the said corporation shall apply to such annual sinking fund account from time to time so much of the sums to be yearly raised as set forth in the said Schedule "C" as shall not be required to pay the said annual interest on the old and new debentures from time to time existing against the said municipality, and shall also apply to the said general sinking fund account all interest from time to time received upon the debentures or other securities held for such fund and shall invest the same as hereinafter mentioned, and with respect to the balance of the present sinking fund account, being the sum of \$51,634, the said corporation shall have power to apply the same towards the construction in the city Application of existing sinking fund.

of a system of sewers, and to no other purpose, when any such system on the local improvement plan or otherwise shall have been adopted by the council of the said city with the approval of the electors entitled to vote on by-laws creating debts under the provisions of *The Municipal Act*.

Rev. Stat.  
c. 223.

Investment of  
sinking fund  
moneys.

8. The said corporation shall have power to invest any moneys standing at the credit of the general sinking fund created under this Act, in the purchase and redemption of the said new debentures or any of the said old debentures at any time previous to the maturity of any such debentures; provided always that in every such case the said corporation shall continue to levy and provide and apply as aforesaid from year to year the annual sums set forth in the said Schedule "C" in the same manner precisely as if such debentures had not been so purchased or redeemed. No moneys of the general sinking fund created under this Act shall be invested otherwise than in the debentures of the said corporation without the sanction of the Lieutenant Governor-in-Council, provided nothing herein shall prevent the investment temporarily in proper securities of part of the said general sinking fund until such time as debentures of the said corporation shall be available for purchase hereunder. Any debentures or other securities in which the general sinking fund may be invested may be sold and converted into money in order that it may be used and applied according to this Act.

Sinking fund  
to be applied  
to other  
purposes.

9. The money or securities belonging to such general sinking fund account shall on no account be used or applied by the said corporation or the treasurer thereof for any other purposes than those authorized by this Act.

Providing  
difference  
revenue from  
rates and  
investments  
of sinking  
fund.

10. The corporation shall be bound to make good and provide in each year out of the general revenue of the said city for such year, the difference (if any) that may arise in such year between the interest that shall accrue on the invested general sinking funds and the interest which should accrue on such funds calculated at the rate of  $3\frac{1}{2}$  per cent. per annum, and place the same at the credit of the said general sinking fund account

Rates not to  
be higher than  
fifteen cents.

11. Notwithstanding the provisions of *The Municipal Institutions Act*, it shall not until the expiration of the year 1948, be lawful for the Council of the Municipal Corporation of the City of Guelph to assess, levy or collect in any one year on the whole rateable property within the said city a rate higher in the aggregate than fifteen cents on the dollar on the actual value thereof, exclusive of the school and local improvement rates and the amounts set forth in schedule "C" hereof shall be a first charge on the rates so to be levied.

**12.** All expenses attending the sale or negotiation of the new debentures to be issued under this Act and all discounts thereon (if any) shall be paid out of the general revenue of the said city in the year of, or the year succeeding, such sale or negotiation. Expenses consequent on Act.

**13.** The by-law or by-laws of the said corporation passed under the authority of this act shall not require to be submitted to or have the assent of the electors of the said city before the final passing thereof, and it shall be sufficient if any such by-law be in the form or to the effect of the form in Schedule "A" to this act set forth notwithstanding any provisions of *The Municipal Act*. Assent of electors not required.

**14.** No irregularity in the form of the said debentures or of the by-laws authorizing the issue thereof, shall render the same invalid or illegal, or be allowed as a defence to any action brought against the said corporation for the recovery of the amount of the said debentures or interest or any or either of them or any part thereof. Informalities not to invalidate debentures.

**15.** The purchaser of any of the debentures which shall be issued under the authority of this Act shall not be bound to see to the application of his purchase money, and any of the said debentures, which shall purport to have been issued under the authority of this Act shall be conclusively presumed in favor of the purchaser thereof to have been so issued. Purchasers not bound to see to application of proceeds.

**16.** This Act may be known as *The Guelph Debt Consolidation Act, 1901*. Short title.

## SCHEDULE A.

## FORM OF BY-LAW. THE CORPORATION OF THE CITY OF GUELPH.

A by-law to authorize the issue of § debentures under the authority of "The Guelph Debt Consolidation Act, 1901."

Whereas it is necessary to raise a loan of § for the purpose of paying off and redeeming outstanding debentures of the corporation of the City of Guelph, under the provisions of "The Guelph Debt Consolidation Act, 1901 ;"

Be it therefore enacted by the municipal council of the corporation of the City of Guelph :—

1. The mayor and treasurer are hereby authorized and directed to borrow, on the credit of the said corporation, under the authority of the said Act, and for the purposes hereinbefore mentioned, the sum of § , and to issue the debentures of the said corporation for such purpose to the amount aforesaid.

2. The said debentures shall be payable in manner following, that is to say, in thirty years from the issue thereof, and at

3. The said debentures shall bear interest at the rate of per cent. per annum, payable half-yearly on the days of and in each year during the currency thereof, and shall have coupons attached for the payment of the interest.

4. The said debentures shall be drawn in sums of not less than \$100 Canadian currency, or \$20 sterling money of Great Britain, and may be made payable in Canadian currency, sterling money of Great Britain or any other currency.

5. The proceeds of the loan hereby authorized to be effected and of the debentures hereby authorized to be effected and of the debentures hereby authorized to be issued shall be applied for the purposes mentioned in the said Act and for no other purpose whatsoever.

Passed in open council this day of A.D., 1901.

A. B.,  
Mayor.  
C. D.,  
Clerk.

(L.S.)

## SCHEDULE B.

## FORM OF DEBENTURE.

No. £ sterling, § , Province of Ontario,  
City of Guelph.

Under and by virtue of the Act passed in the first year of the reign of His Majesty King Edward the Seventh, known as "The Guelph Debt Consolidation Act, 1901," and by virtue of By-law No. of the corporation of the City of Guelph, passed under the powers contained in the said Act ;

The corporation of the City of Guelph promises to pay the bearer at or in the sum of pounds sterling or dollars Canadian currency, on the day of A.D., 19 , and the half-yearly coupons hereto attached as the same shall severally become due.

A. B.,  
Mayor.  
C. D.,  
Treasurer.

(L.S.)

## SCHEDULE C.

AMOUNTS TO BE LEVIED IN EACH YEAR.

1901	826,292 00
1902	25,965 75
1903	25,637 25
1904	25,302 00
1905	24,962 25
1906	24,615 75
1907	24,485 25
1908	24,379 87
1909	24,124 50
1910	23,880 54
1911	23,800 25
1912	23,748 95
1913	23,740 00
1914	23,740 00
1915	23,740 00
1916	23,740 00
1917	23,740 00
1918	21,065 00
1919	20,957 92
1920	20,253 00
1921	20,152 50
1922	20,277 50
1923	19,194 50
1924	19,027 50
1925	19,027 50
1926	19,027 50
1927	19,027 50
1928	19,027 50
1929	19,027 50
1930	19,027 50
1931	19,027 50
1932	18,483 75
1933	17,936 25
1934	17,377 50
1935	16,811 50
1936	16,233 75
1937	16,016 25
1938	15,732 19
1939	15,330 00
1940	14,631 96
1941	14,394 25
1942	14,240 55
1943	14,212 50
1944	14,212 50
1945	14,212 50
1946	14,212 50
1947	14,212 50
1948	4,686 50
1949	3,613 58
1950	3,637 50
1951	2,625 00
1952	2,625 00
1953	500 00

No. 154.

---

4th Session, 9th Legislature,  
1 Edward VII., 1901.

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BILL.

An Act to consolidate and rearrange the  
debt of the City of Guelph.

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First Reading, 19th March, 1901.

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*(Reprinted as amended by Private Bills  
Committee.)*

MR. MITCHELL.

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TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.



## An Act to amend The Assessment Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. *The Assessment Act* is amended by inserting therein after section 18 the following section:—

Rev. Stat.  
c. 224  
amended.

18 a. Real property belonging to or in the possession of any person or incorporated company, and extending over more than one ward in any city or town, may be assessed together in any one of such wards at the option of the assessor, or the assessor of the property may be apportioned amongst two or more of such wards in such manner as he may deem convenient, and in either case the property shall be valued as a whole or as an integral part of the whole.

Assessment of  
whole prop-  
erty of certain  
companies in  
one ward

2. Section 62 of *The Assessment Act* is amended by inserting after the word "arbitrator" in the last line of the first paragraph of said section the words, "or where such official arbitrator is a judge or junior judge of the county in which the city is situated."

Rev. Stat.  
c. 224 s. 62  
amended.

3. The said Act is amended by inserting therein after section 192 the following section:—

Rev. Stat.  
c. 224 amend-  
ed.

192 a. No sale of lands for taxes in any city shall be invalid by reason of there having been goods or chattels within the county belonging to or in the possession of the person assessed for the lands or upon such lands liable to seizure for the taxes and for no levy by distress having been made upon any such goods or chattels for the payment of taxes due in respect of said lands, nor shall the lien of the municipality upon any land for taxes accrued thereon or the right to enforce payment of such taxes by distress or otherwise be lost or impaired by any act, error or omission of an officer of the municipality or of any person authorized or employed to collect such taxes, but such taxes shall be and remain due and owing to the municipality until actually paid to or levied by some person authorized to receive payment thereof or to levy or distraint thereof.

Tax sale  
not invalidat-  
ed for certain  
causes.

4. The said Act is amended by adding thereafter section 149 thereof the following section:—

Rev. Stat.  
c. 224  
amended.

Collection of  
taxes by  
distress or  
sale.

"149 a. If taxes are lawfully assessed against or imposed or charged upon any land or the owner, occupant or lessee thereof, of the same, if not paid, may be recovered by distress, action or sale of the land against or in respect of which such taxes accrue, and no failure on the part of the collector of taxes, or the clerk, assessor or other officer of the municipality to perform any duty required by this act shall prevent the municipality collecting the taxes or selling the land thereof, and if any action is brought against any such municipality or any purchaser of land for taxes accrued thereon, no court or judge shall set aside the sale for taxes, or stay any proceedings towards such sale unless upon the terms that the taxes lawfully assessed or imposed thereupon are paid." 5 10

Rev. Stat.  
c. 224  
amended.

5. The said Act is further amended by adding to sub-section 3 of section 184 thereof the following words:— 15

Redemption  
of lands  
bought in  
by council at  
tax sale.

" If land is so purchased by the council of the local municipality, or by any person for such council, the council or such person for them shall be entitled to hold the said land until redeemed as herein provided whether the money was actually paid over for the land bought by the said council or person or not, and the taxes accrued or accruing upon the said land since those for which the land has been sold, shall be also payable by the person desiring to redeem the said land, and at the time of such redemption; and in case any of such land is, after such sale, assessed to the municipality and therefore exempt, the person seeking to redeem or set aside the said sale shall only be permitted to do so upon also paying the taxes which would have accrued upon such land if it had not been exempt. 20 25



No. 155.

4th Session, 9th Legislature,  
Edward VII., 1901

BILL.

An Act to amend The Assessment Act.

First Reading, 13th March, 1901.

MR. CARSCALLEN.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

## An Act to amend The Municipal Arbitrations Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 15 of *The Municipal Arbitrations Act* is amended 5 by striking out all the words after the word "thereof" in the sixth line and inserting in lieu thereof the words following:—

"Where any municipality, other than the City of Toronto, the County of York or the Township of York, has by by-law declared or shall hereafter declare that it is the desire of the 10 municipality to be brought within the provisions of this Act an official arbitrator shall be appointed for such municipality by the Lieutenant-Governor-in-Council and shall have and exercise within such municipality all the powers conferred upon the official arbitrator by this Act."

Rev. Stat.  
c. 227, s. 15,  
amended.

Official arbi-  
trator may be  
appointed.

No. 156.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

**BILL.**

**An Act to amend The Municipal Arbitra-  
tions Act.**

First Reading, 13th March, 1901.

**MR. GARRICALEN.**

**TORONTO:**

PRINTED BY J. K. CAMERON.

Printer to the King's Most Excellent Majesty.

## An Act to amend The Industrial Schools Act.

1. *The Industrial Schools Act* is amended by inserting after section 27 thereof the following section:—

Rev. Stat.  
c. 304  
amended.

27*a*. Where any municipal corporation has been ordered to pay any sum towards the maintenance of a child in an industrial school, the judge of the Division Court of the Division in which the parent, step parent or guardian of the child resides, may, if he thinks fit on complaint of such corporation and on summons to the parent, step parent or guardian as provided in the last preceeding section make an order for the payment by him to the municipal corporation of the whole or any part of such sums as the said corporation has been ordered to pay or may be or become liable to pay towards the maintenance of such child, and such an order may likewise be made upon summons to the parent, step parent or guardian either at the time of commitment of the child or afterwards, by the judge or magistrate who sent him to the industrial school, and any such order shall for all purposes be a judgment of the Division Court of the Division in which such parent, step parent or guardian resides.

Compelling  
parents, etc.,  
to recoup  
municipalities  
for maintenance.

No. 157.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

An Act to amend The Industrial Schools  
Act.

First Reading, 13th March, 1901.

MR. CARSGALEN.

TORONTO:

PRINTED BY L. K. CAMERON,  
Printer to the King's Most Excellent Majesty.



BILL.

An Act to amend The Ontario Game Protection Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:—

1. Sub-section 6 of section 4 of *The Ontario Game Protection Act* is repealed and the following substituted therefor. 63 V. c. 49 s. 4 sub s. 6 repealed.

(6) Nothing in this Act contained shall prevent the destruction of the wood hare or cotton tailed rabbit by any means, at any time. Destroying cotton tailed rabbits.

2. Sub-section 4 of the said section 4 is amended by striking out the words "fifteenth day of October" in clause "B" of the said sub-section and inserting the words "first day of November" in lieu thereof. 63 V. c. 49 s. 4, sub s. 4 amended.

No. 158.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

An Act to amend The Ontario Game  
Protection Act.

First Reading, 13th March, 1901.

Mr. AULD.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

No. 159.]

# BILL.

[ 1901.

## An Act to amend The Assessment Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Sub section 1, of section 59, of *The Assessment Act* is amended by striking out the figures 100,000 in the second line and inserting in lieu thereof the figures 15,000.

Rev. Stat. c.  
224, s. 59, sub  
sec. 1  
amended.

No. 159.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

An Act to amend The Assessment Act.

First Reading, 13th March, 1901.

Mr. PRESTON.

TORONTO:

PRINTED BY L. K. GARIBOLDI,

Printer to the King's Most Excellent Majesty.

## An Act to amend The Municipal Drainage Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Whenever under *The Municipal Drainage Act* or any  
5 other Act for the construction or improvement of drainage  
works to be paid for by local assessment, drainage works shall  
be hereafter constructed or improved, the lands used for  
agricultural purposes which shall be assessed for such drainage  
works or improvements shall not, while local rates are charge-  
10 able thereon for such drainage work or improvements, be liable  
to increased assessment or taxation for any general rate  
imposed by the council of the municipal corporation under-  
taking the work, by reason of any increase in the value of  
such lands arising from the construction or improvement of  
15 such drainage work.
- Lands in-  
creased in  
value by  
drainage not  
to be liable to  
increased  
assessment  
during cur-  
rency of local  
rates.

No. 160.

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4th Session, 9th Legislature,  
1 Edward VII., 1901.

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BILL.

An Act to amend The Municipal Drainage  
Act

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First Reading, 13th March, 1901.

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Mr. THOMPSON.

TORONTO:

PRINTED BY L. K. GAMMON,  
Printer to the King's Most Excellent Majesty.

No 161.]

# BILL.

[1901.

## An Act to amend The Registry Act

**H**IS MAJESTY, by and with the advice and consent of the  
Legislative Assembly of the Province of Ontario, enacts  
as follows:—

Section 9. of *The Registry Act* is amended by inserting after  
5 5 the word "repair" in the seventh line thereof the words " and  
sufficiently ventilated to protect the health of the officers en-  
gaged therein in that respect.

Rev. Stat. c.  
136 s. 9  
amended.

No. 161.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

An Act to amend The Registry Act

First Reading, 14th March, 1901.

MR. JOYNT.

TORONTO:

PRINTED BY E. K. CAMERON,

Printer to the King's Most Excellent Majesty.



## An Act to further improve The Factories Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Sub-section (4) of section 15 of *The Factories Act* is amended by inserting in the first line after the word "provided" the words, "by the owner of the factory," and sub-section (5) of the same section is amended by adding thereto the following:

Rev. Stat.  
c. 256, s. 15  
sub-s. 4,  
amended.

10 "And the owner of any factory that does not provide the equipment, accommodation, or conveniences required in sub-sections (3) and (4) of this section within one month after receiving from the inspector notice in writing in regard to the same shall be deemed to be guilty of a contravention of the provisions of this Act and shall be liable to the penalty provided in section 19 of this Act."

Penalty for  
not providing  
certain accom-  
modations

2. Section 20 of *The Factories Act* is hereby amended by adding thereto the following sub-sections:

Rev. Stat.  
c. 256, s. 20,  
amended.

20 (f) Inflammable material such as coal oil or petroleum benzine and naphtha, and explosives of all kinds shall be kept stored when not in actual use in a fire-proof building separated from the other parts of the factory, or in a fire-proof compartment of the factory approved of by the inspector.

Inflammable  
materials,  
storing of

25 (g) No boiler shall be used that is not insured in some company duly authorized in the Province for that purpose, or that has not been inspected within one year by a competent inspector, and the manager or proprietor shall, whenever so requested by the inspector, produce for examination the insurance policy or the certificate of inspection.

Boiler's in-  
spection of.

30 3. Subsections (2) and (3) of section 21 of *The Factories Act* are hereby repealed and the following substituted therefor:

Rev. Stat.  
c. 256, s. 21,  
sub-s. 2, 3,  
repealed.

(2). The owner of every factory over one storey in height, shall within six months from the time of the passing of this Act, provide the said factory with one or more systems of fire escape appliances, as to fire escape appliances.

escape as follows, and shall keep the same in good repair :

(a) A sufficient number of tower stairways with iron doorways within reach of or having easy communication with all the working rooms of the factory ; or

(b) a sufficient number of iron or other unflammable fire escapes on the outside of the building, such fire escapes to consist of stairways with railing and to be connected with the interior of the building by iron doors or windows with iron shutters, and to have suitable landings at every storey including the attic if the attic is occupied as a work-room, and the said stairways to start at a distance of not more than six feet from the ground or pavement ; or

(c) any other system or form of fire escape that may be sanctioned under this Act by the Lieutenant-Governor-in-Council on the recommendation of the Factories Inspectors.

Penalty. (3). The owner or proprietor of any factory refusing or neglecting to provide the means of safe exit in case of fire prescribed in this section shall upon conviction thereof incur and be liable to a fine of \$500 with costs of prosecution and in default of immediate payment of such fine and costs, be liable to imprisonment within the common gaol of the county for a period of not more than twelve months.



No. 162.

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4th Session, 9th Legislature,  
1 Edward VII, 1901.

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BILL

An Act to further improve The Factories  
Act.

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First Reading, 14th March, 1901.

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MR. DRYDEN.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

## An Act to further improve The Factories Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Sub-section (4) of section 15 of *The Factories Act* is amended by inserting in the first line after the word "provided" the words, "by the owner of the factory," and sub-section (5) of the same section is amended by adding thereto the following:

Rev. Stat.  
c. 256, s. 15,  
sub-s. 4,  
amended.

"And the owner of any factory *who* does not provide the equipment, accommodation, or conveniences required in sub-sections (3) and (4) of this section within *two months* after receiving from the inspector notice in writing in regard to the same shall be deemed to be guilty of a contravention of the provisions of this Act and shall be liable to the penalty provided in section 19 of this Act."

Penalty for  
not providing  
certain accom-  
modations

2. Section 20 of *The Factories Act* is hereby amended by adding thereto the following sub-sections:

Rev. Stat.  
c. 256, s. 20,  
amended.

(f) Inflammable material such as coal oil or petroleum, benzine and naphtha and explosives of all kinds shall be kept stored when not in actual use in a building separated from the other parts of the factory, or in a fire-proof compartment of the factory approved of by the inspector.

Inflammable  
materials,  
storing of.

(g) No boiler shall be used that is not insured in some *boiler inspection* company duly authorized in the Province for that purpose, or that has not been inspected within one year by a competent inspector, <sup>and</sup> such inspector to be a man who has had charge of a boiler and engine for a period of not less than five years, or who holds a certificate as a stationary engineer, <sup>and</sup> the manager or proprietor shall, whenever so requested by the inspector, produce for examination the insurance policy or the certificate of inspection.

Boiler's in-  
spection of.

3. Subsections (2) and (3) of section 21 of *The Factories Act* are hereby repealed and the following substituted therefor:

Rev. Stat.  
c. 256, s. 21,  
sub-s. 2, 3,  
repealed.

(2) The owner of every factory over *two stories* in height, <sup>and</sup> and where deemed necessary by the inspector, the owner of every factory over one storey in height, <sup>shall</sup> shall within six

Provisions as  
to fire escape  
appliances.

months from the time of the passing of this Act, provide the said factory with one or more systems of fire escape as follows, and shall keep the same in good repair :

(a) A sufficient number of tower stairways with iron doorways within reach of or having easy communication with all the working rooms of the factory ; or

(b) a sufficient number of iron or other uninflamable fire escapes on the outside of the building, such fire escapes to consist of stairways with railing or iron ladders and to be connected with the interior of the building by iron doors or windows with iron shutters, and to have suitable landings at every storey including the attic if the attic is occupied as a work-room, and the said stairways to start at a distance of not more than eight feet from the ground or pavement ; or

(c) any other system or form of fire escape that may be sanctioned under this Act by the Lieutenant-Governor-in-Council on the recommendation of the Factories Inspectors.

Penalty.

(3). The owner or proprietor of any factory refusing or neglecting to provide the means of safe exit in case of fire prescribed in this section shall upon conviction thereof incur and be liable to a fine of *not more than* \$500 with costs of prosecution and in default of immediate payment of such fine and costs, be liable to imprisonment within the common goal of the county for a period of not more than twelve months.

\*The following is added to *The Ontario Factories Act* as section 51 :

51. The owner proprietor or manager of any factory coming within the scope of this Act, shall not begin operations until he shall have received from the Factory Inspector a certificate of inspection of the factory and a permit to operate the same ; and any such person violating the provisions of this section shall be liable to the penalties provided for in section 19 of this Act \*



No. 162.

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4th Session, 9th Legislature,  
1 Edward VII., 1901.

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BILL.

An Act to further improve The Factories  
Act.

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First Reading, 14th March, 1901.  
Second Reading, 26th March, 1901.

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*(Reprinted as amended by Committee of  
the Whole.)*

Mr. DEYDEN.

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TORONTO:

PRINTED BY L. K. GARROD,  
Printer to the King's Most Excellent Majesty.



An Act to amend an Act to permit Municipalities  
to use Voting Machines.

HIS MAJESTY, by and with the advice and consent of the  
Legislative Assembly of the Province of Ontario, enacts  
as follows :—

1. Section 15 of the *Act to permit Municipalities to use* <sup>63 V. c. 37</sup>  
5 *Voting Machines* is repealed and the following substituted <sup>s. 15 repealed.</sup>  
therefor :

15 All voting machines shall remain locked and sealed for  
a period of six weeks next succeeding the date of any election  
or until it is necessary to prepare the voting machines for another  
10 election and shall not be opened nor their contents  
examined during that time except by order of a Court or  
Judge of competent jurisdiction, unless proceedings have  
been started within said six weeks under the provisions  
of subsection 1 of section 220 of *The Municipal Act* to contest  
15 the validity of the election of any mayor, warden, reeve,  
deputy reeve, alderman, county councillor or councillor or to  
show that such election was not legal or had not been con-  
ducted according to law, or that some person or persons declared  
elected thereat, had not been duly elected, and in such  
20 case the said voting machines shall remain locked and sealed  
for a period of six months next succeeding the date of such  
election, and shall not be opened nor their contents examined,  
except by order of a Court or Judge of competent jurisdiction.

2. The limitations imposed by section 536 of *The Municipal* <sup>Polling</sup>  
25 *Act* as to the number of electors in each polling sub-division <sup>sub-d. vis'ons.</sup>  
in a municipality shall not apply in the case of a town or  
village which has adopted the use of voting machines; but  
the council of such town or village may divide the municipai-  
ity into polling sub-divisions, each of which shall contain not  
more than six hundred electors and such polling sub-divisions  
30 shall be made or varied in the manner provided by the said  
section 536 whenever the electors in any polling sub-division  
in such town or village exceed six hundred.

No. 163.

4th Session, 9th Legislature,  
1 Edward VII, 1901.

BILL.

An Act to amend an Act to permit Municipalities to use Voting Machines.

First Reading, 15th March, 1901.

MR. FARWELL.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

An Act respecting Legal Procedure and County Courts Jurisdiction.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

COUNTY COURTS JURISDICTION.

5 1. Section 22 of *The County Courts Act* is hereby repealed and the following substituted therefor: Rev. Stat. c. 55, s. 22, repealed.

22. Except in cases of actions in which, by section 27 of this Act, or by any other Act, jurisdiction is conferred upon county courts or a judge thereof the said courts shall not have Matters not to be within jurisdiction of county courts, cognizance of any action:

(1) In which the title to land of a greater value than \$400 is brought in question: or

(2) In which the validity of any devise, bequest or limitation exceeding \$400 under any will or settlement is disputed, 15 nor where the assets of the estate or funds out of which the amount in question is payable exceed \$2,000; or

(3) Against a justice of the peace for anything done by him in the execution of his office, if he objects thereto.

2. Section 23 of the said Act is repealed and the following 20 substituted therefor: Rev. Stat. c. 55, s. 23, repealed.

23 Subject to the exceptions contained in the last preceding section, the County Courts shall have Jurisdiction all wed. jurisdiction:

(1) In all personal actions where the debt or damages claimed do not exceed the sum of \$400.

25 (a) In any action for libel, slander, criminal conversation or seduction, brought in a County Court, a Judge of the High Court or the Judge of the County Court, before whom the action is pending, may, upon the application of any party to the action, direct 30 the removal of the action into the High Court, and in case of such removal the action shall for all purposes, whether concerning the question of costs,

the question of appeal, or otherwise, be deemed to be and shall be an action commenced by Writ of Summons in the High Court.

(b) Where in any action for libel, slander, criminal conversation or seduction brought in the High Court, the plaintiff recovers the sum of \$400 or less he shall nevertheless be entitled to High Court costs, free from any liability to set off of costs by the defendant, provided that the Trial Judge certifies that in his opinion the action was properly brought in the High Court. 5 10

(2) In all causes and actions relating to debt, covenant and contract to \$800, where the amount is liquidated or ascertained by the act of the parties or by the signature of the defendant. 15

(3) To any amount on bail bonds given to a sheriff in any case in a County Court, what ever may be the penalty.

(4) On recognizances of bail taken in a County Court, whatever may be the amount recovered or for which the bail therein may be liable. 20

(5) In actions of replevin where the value of the goods or other property or effects distrained, taken or detained, does not exceed the sum of \$400, as provided in *The Replevin Act*.  
Rev. Stat. c. 66.

(6) In interpleader matters, as provided by the rules respecting interpleader. 25

By consent of parties in action for liquidated damages. (7) In any cause or action relating to debt, covenant and contract where the amount is liquidated or ascertained by the act of the parties or by the signature of the defendant, when the plaintiff and defendant, before the issue of the writ, agree by memorandum in writing signed by them and filed upon the application for the writ, that the Court shall have power to try the action. 30

Recovery of land. (8) In actions for the recovery of land where the value of the land does not exceed \$400.

Trespass on land. (9) In actions for trespass or injury to land where the value of the land does not exceed \$400. 35

Partnership accounts. (10) In actions by persons entitled to and seeking an account of the dealings and transactions of a partnership, the joint stock or capital not having been over \$2,000, whether such account is sought by claim or counter claim. 40

Legacies. (11) In actions by a legatee under the will of any deceased person, such legatee seeking payment or delivery of his legacy not exceeding \$400 in amount or value out of such deceased person's estate not exceeding \$2,000.

Actions on mortgage. (12) In actions by a legal or equitable mortgagee whose mortgage has been created by some instrument in writing, or 45

a judgment creditor, or a person entitled to a lien, or security for a debt, seeking foreclosure or sale, or otherwise, to enforce his security, where the sum claimed as due does not exceed \$400.

5 (13) In actions by a person entitled to redeem any legal or equitable mortgage or any charge or lien, and seeking to redeem the same, where the sum actually remaining due does not exceed \$400. Action for redemption.

(14) In actions by any person seeking equitable relief in respect of any matter whatsoever, where the subject matter involved does not exceed \$400. Equitable relief.

(15) In any action or contestation to establish the right of a creditor to rank upon an insolvent estate where the amount of such claim does not exceed \$600. Right of creditor to rank on estate.

15 (16.) The Judge of a County Court shall have the same jurisdiction as is now possessed by a Judge of the High Court, to quash, in whole or in part, any by-law, order or resolution of any municipal council exercising jurisdiction within the territorial jurisdiction of the said County Court, and to award costs for or against the corporation. Quashing municipal by laws.

(17). Where an action of the proper competence of the County Court is brought in a Division Court, the Judge of the County Court, within the territorial jurisdiction of which the said Division Court exercises jurisdiction, and the Judge of the said Division Court shall respectively have the same powers to transfer such action to such County Court, and the same powers with reference to such transfer, as are conferred by section 81 of *The Division Courts Act* and section 186 of *The Judicature Act* upon a Judge of the High Court to transfer such action to the High Court. Transfer from division court to county court.

(18) The Judge of a County Court shall have the same jurisdiction as a Judge of the High Court to quash any conviction or order, made, within the territorial jurisdiction of such County Court, by any justice or justices of the peace, or a police or stipendiary magistrate, under the authority of any statute of the Province of Ontario, or of any other statute or law in force in Ontario, and relating to matters within the legislative authority of the legislature of the province. Quashing convictions.

(a) In all cases falling within the operation of this section the said County Court Judge shall have the same jurisdiction to remove into the said County Court, by order of certiorari, any such conviction or order, together with the proceedings and papers connected therewith, as is now passed by a Judge of the High Court to remove the same into the High Court. Rev. Stat. c. 55, s. 52, subs. 1.

3. Sub-section 1 of section 30 of said Act is amended by substituting the figures "400" for "200" in lines four and seven and the figures "2,000" for "1,000" in line eight thereof. Rev. Stat. c. 55, s. 30, subs. 1, amended.

Re-v. Stat.  
c. 55, s. 33,  
amended.

4. Section 33 of the said Act is amended by substituting the figures "200" for "100" in line eight thereof.

Rev. Stat.  
c. 55, s. 38,  
amended.

5. Section 35 of the said Act is amended by substituting the figures "400" for "200" in lines four and six thereof.

Rev. Stat.  
c. 66, s. 7,  
amended.

6. Section 7 of *The Replevin Act* is amended by substituting " \$400 " for " \$200 " at the end of the second line thereof. 5

#### COUNTY COURTS PROCEDURE.

Rev. Stat.  
c. 55, s. 40,  
repealed.

7. Section 40 of *The County Courts Act* is repealed, and the following substituted therefor:

Practice and  
procedure  
generally.

(40) Subject to the provisions of *The Judicature Act* and to 10  
Rules of Court, the pleadings, practice and procedure for the  
time being of the High Court shall, save as varied by this Act,  
apply and extend to the County Courts, unless and until addi-  
tional or other rules applicable to such cases are made.

Actions to be  
commenced  
by statement  
of claim.

8. Every action in a County Court, which, according to the 15  
present practice of the County Court, is commenced by the issue  
of a writ of summons, shall hereafter be commenced by filing  
in the office of the clerk of the County Court a statement of the  
plaintiff's claim, of the same character as the statement of claim  
now in use under the present practice of the County Courts in 20  
actions commenced by writ of summons.

Endorsement  
on statement  
of claim.

9.—(1) Upon the said statement of claim shall be endorsed 15  
the date of the said filing thereof; and where a plaintiff sues  
by a solicitor, it shall be endorsed with the solicitor's name or  
firm and place of business, where pleadings, notices, orders, 25  
warrants and other documents, proceedings, and written com-  
munications may be served.

(2) Where the solicitor filing such statement of claim is 35  
only agent of another solicitor, his name or firm and place of  
business, as well as the name or firm and place of business of 30  
the principal solicitor, shall be endorsed.

(3) Where a plaintiff sues in person, there shall be endorsed  
upon the said statement of claim his place of residence and  
occupation.

(4) If his place of residence is more than two miles from 35  
the office in which the proceedings are commenced, there shall  
be endorsed also another proper place, which shall not be more  
than two miles from such office, to be called his address for  
service, where pleadings, notices, orders, warrants, and other  
documents, proceedings, and written communications not re- 40  
quiring personal service, may be served.

(5) If the said statement of claim is not so endorsed, or if  
such address or place is more than two miles from the office

aforesaid, the opposite party shall be at liberty to proceed by posting up in such office all pleadings, notices, orders, warrants and other documents, proceedings and written communications requiring service.

5 (6) There shall be endorsed upon the said statement of claim a notice in the terms set forth in form B, in schedule A, to this Act.

10 **10.** An office copy of the said statement of claim having endorsed thereon the aforesaid several endorsements may be served, either within or out of the Province of Ontario, in the same manner that a writ or summons or notice of writ may be served under the present practice of the County Courts in actions commenced by writ of summons, but subject, in so far as they are applicable, to all the conditions which, under the 15 said practice, govern the service of such a writ or notice of writ.

20 **1.** Such office copy shall be authenticated by having the seal of the County Court stamped upon each page thereof, and by a certificate of the clerk, in whose office the said statement of claim is filed, that the same is a true copy of a statement of claim filed in his office, and that the endorsements thereon are true copies of all endorsements upon the said statement of claim.

25 **2.** For such filing as aforesaid the clerk shall be entitled to a fee of 50 cents, and for such authentication as aforesaid he shall be entitled to a fee of 25 cents.

30 **3.** The affidavit of service of the said office copy of statement of claim shall be in the terms set forth in Form C in Schedule A to this Act, subject to such modifications thereof as the circumstances of the case shall require. The clerk shall be entitled to a fee of 10 cents for sealing, with the seal of the Court, the blank form of each affidavit of service.

35 **11.** Service of an office copy of a statement of claim as aforesaid shall be of no validity if not made within one year from the date of the commencement of the action as aforesaid; provided always that the Court or a Judge may by endorsement upon the said office copy, made before the lapse of such year, extend the time for effecting such service, and may, from time to time, by like endorsement, extend the time limited by the 40 firstly mentioned endorsement, upon it being made to appear upon the application for any extension, beyond the first period of one year, that due diligence has been used in endeavoring to effect service.

45 **12.** A defendant shall not be required to enter any appearance in the action, but he shall deliver a statement of defence, or a statement of defence and counterclaim, by filing and serving the same pursuant to the present practice of the

Service of  
statement of  
claim.

Fees on filing  
and office  
copy.

Affidavit of  
service.

When service  
to be made.

Statement of  
defence in  
lieu of appear-  
ance.

County Courts, in actions commenced by writ of summons, and such delivery shall be made within such period, after service of the office copy of the statement of claim as aforesaid, as would, under the said practice, be allowed after service of a writ of summons for entering an appearance in the action; and, in the case of service being effected out of Ontario, such delivery shall be made within such period after service of the office copy of the statement of claim, as aforesaid, as shall be limited by the order allowing such service. 5

Endorsements on statement of defence.

2. Upon the said statement of defence shall be endorsed the date of the said filing thereof together with a memorandum stating, if the defendant defends by solicitor, the name and place of business of such solicitor, or, if the defendant defends in person, stating that he so defends in person, giving his address and naming a place to be called his address for service, which shall not be more than two miles from the office in which the said statement of defence is filed. 10 15

3. If the said memorandum does not contain the address of the solicitor or the defendant (as the case may be) the said statement of defence shall not be filed; and if such address is illusory or fictitious, the Court or a Judge may upon an *ex parte* application order the said statement of defence to be taken off the files of the Court; and thereafter, unless otherwise ordered, the plaintiff may proceed as if the defendant had not delivered any statement of defence. 20 25

Default in delivery of statement of defence.

4. If the defendant makes default in delivery of statement of defence, as aforesaid, he shall not be entitled to notice of any subsequent proceedings in the action, except where otherwise provided by the Consolidated Rules of Practice or where otherwise ordered by the Court or a Judge, and the plaintiff shall thereupon be entitled to take all such steps and proceedings in the action as may be taken under the present practice of the County Courts in a case where an action has been commenced by the issue of a writ of summons and the defendant has made default in delivering a statement of defence to the plaintiff's statement of claim; and where, under the present practice of the County Courts in actions commenced by writ of summons, the plaintiff would be entitled, if the plaintiff's statement of claim were endorsed upon the said writ, to enter either final or interlocutory judgment upon praecipe in default of appearance, the plaintiff shall be at liberty to enter such judgment in default of delivery of a statement of defence. 30 35 40

Technical grounds of defence.

5. The defendant may in and by his said statement of defence dispute the jurisdiction of the court, or the propriety of the order allowing service of the statement of claim. 45

Solicitor neglecting to defend.

6. A solicitor not delivering a statement of defence for a defendant in pursuance of his written undertaking so to do shall be liable to an attachment. 45



7. A defendant may deliver a statement of defence at any time before the pleadings are closed or before judgment, which-  
 ever shall first happen. When defence may be delivered.

13. Whenever under the present practice of the County Courts, any step or proceeding may be taken in an action after the commencement of such action by the issue of a writ of summons, or after the entry of an appearance in the action the filing of a statement of claim as aforesaid shall, for the purposes of such step or proceeding, be deemed to be and shall be equivalent to the issue of such writ of summons, and the delivery of a statement of defence as aforesaid shall, for the purposes of such step or proceeding, be deemed to be and shall be equivalent to the entry of such appearance. Delivery of statement of claim to stand in place of writ of summons.

14. The provisions of this Act shall apply to actions brought in a County Court under *The Act respecting arrest and Imprisonment for Debt*, or under *The Absconding Debtor's Act* and to actions of replevin, as well as to all other actions failing under the jurisdiction of the County Courts, which are now commenced by the issue of a writ of summons, and in all such actions the office copy of the statement of claim shall be deemed to be and shall be equivalent to a writ of summons. Actions brought under Rev. Stat. c. 89, 79, etc.

#### ORDER WITH DIRECTIONS.

15. Subject as hereinafter mentioned, in every action commenced by a statement of claim, an order with directions shall be applied for by the plaintiff by notice of motion returnable before the Court or Judge in not less than four clear days after service thereof. Application for order with directions to be made by plaintiff.

(2) Such notice of motion shall be served after delivery of statement of defence by any defendant and before the plaintiff takes any fresh step in the action other than application for an injunction, or for a receiver, or for summary or other judgment. Service of notice of motion.

(3) The notice of motion shall be in the terms of Form D., Schedule A., to this Act, with such variations as circumstances may require, and shall be addressed to and served upon all such parties to the action as may be affected thereby. Form of notice.

(4) Upon the hearing of the motion the Court or a Judge shall, so far as practicable, make such order as may be just with respect to all the interlocutory proceedings to be taken in the action before the trial, and as to the costs thereof, and more particularly with respect to the following matters:— Pleading, particulars, admissions, amendments, production of documents, examination for discovery, inspection of documents, inspection of real or personal property, commissions, examination of witnesses, place and mode of trial. Such order shall be in the terms of Form E. or Form F. in Schedule A. to this Act, with such variations as circumstances may require. Powers of judge as to order.

- Affidavits not to be used on motion. (5) No affidavit shall be made or used on the hearing of the said motion except by special order of the Court or a Judge
- Application by parties to the motion. (6) On the hearing of the motion any party to whom the said notice is addressed shall, so far as practicable, apply for any order or directions as to any interlocutory matter or thing in the action which he may desire. 5
- Subsequent application for directions. (7) Any application subsequent to the original motion for any directions as to any interlocutory matter or thing by any party shall be made under the original notice by two clear days' notice to the other party stating the grounds of the application. 10
- Costs of application. (8) Any application by any party which might have been made at the hearing of the original motion shall, if granted on any subsequent application, be granted at the costs of the party applying, unless the court or a judge shall be of the opinion that the application could not properly or could not conveniently have been made at the hearing of the original motion. 15
- Order for evidence. (9) On the hearing of the motion, the court or a judge may order that evidence of any particular fact, to be specified in the order, shall be given by statement on oath of information and belief, or by production of documents or entries in books, or by copies of documents or entries or otherwise as the Court or Judge may direct. 20
- Application by defendant in default of motion by plaintiff. (10) In any action to which this section applies, if the plaintiff does not within fourteen days from the delivery of statement of defence by any defendant serve notice of motion for an order with directions under this Act, or for summary or other judgment, which notice shall be returnable not more than seven clear days after the day of service thereof, the defendant shall be at liberty to apply for an order to dismiss the action, and upon such application the judge may either dismiss the action, on such terms as may be just, or may deal with such application in all respects as if it were a motion for directions under this Act. 30
- Motion for speedy judgment. (11) Nothing in this act contained shall affect the right of a plaintiff to move for and obtain immediate judgment after service of a statement of claim, and notwithstanding the filing of a statement of defence or a statement of defence and counter-claim, whether such motion be made under Consolidated Rule 603 or under Consolidated Rule 608. 40

## COSTS IN COUNTY COURT.

- Tariff of costs in personal actions under \$200 and liquidated claims under \$500. **16.** The costs to be taxed as between party and party in any personal action brought in a County Court in which the debt or damages claimed, or in which the debt or damages recovered do not exceed the sum of \$200; or in any cause or action brought in a County Court relating to debt, covenant or contract, where the amount is liquidated or ascertained by the 45

act of the parties or by the signature of the defendant, and in which the amount claimed, or in which the amount recovered, does not exceed \$600, shall be the costs mentioned in Tariff A, in Schedule B, to this act.

- 5 **17.** The costs to be taxed as between party and party in any personal action brought in a county court in which the debt or damages recovered exceed the sum of \$200; or in any cause or action brought in a county court relating to debt, covenant or contract, where the amount is liquidated or ascertained by the act of the parties or by the signature of the defendant, and in which the amount recovered exceeds \$600, shall be the costs mentioned in tariff B, in schedule B, to this Act.

#### COSTS OF PROCEEDINGS FOR DISCOVERY.

- 15 **18.** No costs of examination for discovery or of orders for the production of documents other than the actual disbursements, not including counsel fees, paid in connection with such examination or such orders shall be allowed or be taxable as between party and party in any action, matter or other proceeding in the High Court of Justice.

#### ATTENDANCE OF PETIT JURORS WHERE THERE IS NO BUSINESS BEFORE THE COURT.

- 25 **19.**—(1) In case it appears that there is no business requiring the attendance of a jury at any sittings of the High Court, or of any County Court for the trial of actions with a jury, the Deputy Clerk of the Crown, or the Local Registrar or the Clerk of the County Court as the case may be at least five clear days before the date appointed for such sitting shall give notice to the sheriff that the attendance of petit jurymen at such sittings is not required and a similar notice shall be given to the sheriff by the Clerk of the Peace in the case of a sittings of the High Court for the trial of criminal prosecutions, or in case of the sittings of the General Sessions of the Peace in any county, when it shall appear that the attendance of petit jurymen at such sittings is not required.

(2) Actions to be tried by a jury shall be entered for trial not later than six clear days next before the first day of the sittings.

- 40 **20.** Upon receipt of such notice the sheriff shall forthwith by registered letter or otherwise, as he shall in his discretion deem expedient, notify each person summoned to serve as a jury man at such sittings that his attendance is not required and in case any person so summoned shall attend after receiving such notice from the sheriff he shall not be entitled to any fees or mileage for such attendance.

Where juror attends owing to non receipt of notice.

21. Where after the giving of such notice by the sheriff, a jurymen so summoned attends such sittings and the sheriff is satisfied that the notice was not received prior to such attendance but that the jurymen attended in good faith believing such attendance to be necessary, the sheriff shall allow such jurymen his mileage and fees as heretofore. 5

Fees of sheriff for sending notice.

22. For sending every notice required by section 29 of this Act there shall be paid to the sheriff in the same manner and out of the same funds as the fees for the summoning of jurors the sum of \_\_\_\_\_, and necessary disbursements paid by him for each jurymen so notified. 10

Summoning same jurors of general sessions and sittings of High Court.

23. —(1) Notwithstanding anything contained in the *County Courts Act* and the *General Sessions Act* the county selectors of jurors in any county may at their annual meeting by resolution determine that the general sessions of the peace for the county instead of being held at the times fixed by the above mentioned statutes shall be held immediately after the sittings of the High Court in each year for the trial of jury cases and in such cases until such resolution is rescinded the jurors for the High Court and for the inferior courts shall be the same and shall be summoned for such courts at the same time. 15 20

(2) In case such resolution as aforesaid is adopted the first selectors of jurors for the county shall thereafter distribute the names of persons selected as jurors under section 26 of *The Jurors Act* into two divisions instead of four, and the clerk of the peace shall make the report as to jurors required by section 43 of the said Act to the Judge of the County Court, and such report shall be dealt with in all respects and the same proceedings *mutatis mutandis* shall be taken in regard thereto and to the jury lists and otherwise as are required to be taken and shall have the same effect as if taken by or before the courts or persons named in this Act under the Act and the said judge shall have power to perform all the duties and make all the enquiries which should or might be made or performed were he presiding at the court of general sessions of the peace and shall for this purpose have all the powers of the court. 25 30 35

#### RULES OF PRACTICE.

Rules relating to matters under this act.

24. The Judges of the High Court of Justice or any four of them, of whom two of the presidents of the divisions of the High Court shall be two, shall, as regards matters of practice and procedure dealt with by this Act, have power to make general rules from time to time for the purpose of regulating, supplementing or amending the said practice and procedure. 40

Commencement act.

25. This Act shall come into force on the 1st day of July 1901.

SCHEDULE A.

FORM A.

(To be endorsed on the Statement of Claim pursuant to Section 9.)

This Statement of claim was filed on the \_\_\_\_\_ day of \_\_\_\_\_ A. D. 19\_\_\_\_, by E. F. (as the case may be) of \_\_\_\_\_ (giving place of business of the solicitor) solicitor for the plaintiff who resides at \_\_\_\_\_ (giving plaintiff's residence) (or by the plaintiff in person who resides at \_\_\_\_\_), (mention the city, town or township, and also the name of the street and number of the house of the plaintiff's residence, if any, or in case of a township, the number of the lot and concession, in all cases in which the plaintiff files the statement of claim in person.)

FORM B.

(Referred to in section 9 (6).)

To the defendant :

Take notice that your statement of defence, if any, to the within statement of claim is to be filed in the office of the clerk of the County Court of the County of \_\_\_\_\_ (as the case may be) at the \_\_\_\_\_ of \_\_\_\_\_ in the County of \_\_\_\_\_ (as the case may be) in the Province of Ontario, and a copy thereof is to be served upon the plaintiff or the plaintiff's solicitor within \_\_\_\_\_ days (as the case may be) after the service of this statement of claim on you, inclusive of the day of such service ; and take notice that in default of your so doing the plaintiff may proceed with the action within \_\_\_\_\_ referred, and judgment may be given in your absence, on the plaintiff's own showing, and you may be deemed to have admitted the plaintiff's claim and (subject to the rules of court) will not be entitled to notice of any further proceedings in the said action.

FORM C.

(Referred to in Section 10 (3) )

IN THE COUNTY COURT OF THE COUNTY OF \_\_\_\_\_

Between,—

A. B. \_\_\_\_\_ Plaintiff.  
and \_\_\_\_\_  
C. D. \_\_\_\_\_ Defendant.

I, \_\_\_\_\_ of the \_\_\_\_\_ of \_\_\_\_\_ in the County of \_\_\_\_\_, make oath and say :—

1. I did on the \_\_\_\_\_ day of \_\_\_\_\_ A.D. 19\_\_\_\_, personally serve the above-named defendant with a paper which purported to be an office copy of the Statement of Claim in this action by delivering to and leaving the said office copy with the said defendant at \_\_\_\_\_ in the County of \_\_\_\_\_

2. That said office copy purported to be authenticated by the signature of the Clerk of this Court at the foot thereof ; together with his certificate that the said office copy was a true copy of a Statement of Claim filed in his office, and that the endorsements upon the said office copy were true copies of all endorsements upon the said Statement of Claim ; and I further say that each page of the said office copy was stamped with a stamp similar to the one which I now look upon on the margin of this affidavit.

3. That to effect the said service I necessarily travelled \_\_\_\_\_ miles. Sworn, etc.

## FORM D.

*(Referred to in Section 15 (3).)*

Style of Cause as in Form C.

Take notice that an application will be made before His Honor, the Judge of the County Court of the County of \_\_\_\_\_ at his Chambers in \_\_\_\_\_, in the \_\_\_\_\_ of \_\_\_\_\_ at the hour of \_\_\_\_\_ o'clock in the \_\_\_\_\_ noon, or so soon thereafter as a motion can be heard on behalf of the plaintiff for an order with directions herein as follows:—

Pleadings.—*(That the plaintiff be at liberty to deliver a reply, or to deliver a statement of defence to the Counter-claim, or as the case may be.)*

Particulars. *(That the \_\_\_\_\_ deliver within \_\_\_\_\_ days particulars of \_\_\_\_\_ and that in default all further proceedings in this action be stayed until such particulars are delivered (or, that the defendant be precluded from giving evidence in support thereof on the trial of the action) and that the \_\_\_\_\_ have \_\_\_\_\_ days to deliver his \_\_\_\_\_ after delivery of such particulars.)*

Admissions. —

Amendments.—*(That the plaintiff be at liberty to amend his statement of claim).*

Production.—*(That the \_\_\_\_\_ file an affidavit of documents in ten days).*

Examination for Discovery.—*(For leave to examine the defendant for discovery).*

Inspection of documents.

Inspection of real or personal property.

Commissions.

Examination of witnesses.

Place of trial.

Mode of trial.

Any other interlocutory matter or thing.

Dated this \_\_\_\_\_ day of \_\_\_\_\_

This notice is given by  
solicitor for

To

## FORM E.

(Referred to in Section 15 (4)).

Style of Cause as in Form C.

Upon hearing the solicitors on both sides, and upon reading the affidavit of the plaintiff filed herein, the following directions are hereby given:—

Pleadings.—As the case may be.

Particulars.—Defendant in a week to give particulars of payment by him to the deceased.

Admissions.—That the plaintiff is executor, and that the goods were supplied by deceased to the defendant.

Amendments.—Plaintiff to be at liberty to amend his statement of claim within one week.

Production. Defendant in a week to produce letter of 1st January, 1889.

Examination for discovery.—Plaintiff may examine defendant as to payment only.

Inspection of documents.—Plaintiff undertakes to produce pass-book of deceased at trial.

Inspection of real or personal property.—None.

Commissions.—None.

Examination of witnesses.—John Smith to be examined at Toronto within a fortnight before special examiner to be named by parties, or in default by me.

Place of trial.—Hamilton.

Mode of trial.—Judge.

Any other interlocutory matter or thing.—Notice of trial to be given at once by plaintiff.

## FORM F.

(Referred to in Section 15 (4)).

Style of Cause as in Form C.

Upon hearing the solicitors on both sides, the following directions are hereby given, and it is ordered

1. That there be the following pleadings in the action;
2. That the \_\_\_\_\_ deliver to the \_\_\_\_\_ an account in writing of the particulars of \_\_\_\_\_ and that, unless such particulars be delivered within \_\_\_\_\_ days from the date of this order, all further proceedings be stayed until the delivery thereof, and that the defendant have \_\_\_\_\_ days after delivery of the said particulars to deliver an amendment to his statement of defence.

2. That the plaintiff and defendant do, respectively, within ten days from the date of this order, file and serve the usual affidavit on production of documents.

4. That the plaintiff be at liberty to examine the defendant for discovery, and that the defendant be at liberty to examine the plaintiff for discovery.

5. That the action be tried at *London*.

6. That the action be tried with a Jury.

Dated the                      day of                      19                      .

## SCHEDULE B.

### TARIFF A.

(Referred to in Section 16).

To the Plaintiff:—

1. For all proceedings down to and including precipe judgment by default, except as herein otherwise provided....	\$10 00
2. For all proceedings down to and including judgment upon motion for judgment on default of statement for defence, except as herein otherwise provided.....	15 00
3. For all proceedings down to and including judgment upon motion for judgment in other cases, except as herein otherwise provided .....	20 00
4. For all proceedings before notice of trial (where case goes to trial), except as herein otherwise provided.....	20 00
5. For each additional defendant after the first defendant served with a statement of claim .....	2 00
6. For procuring an order allowing service of the statement of claim by publication, or an order allowing service of the statement of claim out of the jurisdiction, whether upon one or more defendants .....	5 00
7. For procuring an injunction order or an order for arrest..	10 00
8. If the plaintiff obtains judgment in one mode against one or more defendants and in another mode or modes against another defendant or defendants, the taxing officer shall allow the plaintiff his costs under this tariff having regard to the judgment first obtained; and the judge, upon being satisfied that the plaintiff has pursued a reasonable course, may allow him an extra fee in respect of the proceedings had and taken subsequently to obtaining the said first judgment; but in no such case shall the whole costs allowed to the plaintiff exceed the costs to which he would be entitled under this tariff in a case where his action goes to trial.	
9. Cos's in connection with counter claims shall be taxed under the tariff at present in force in the county courts.	

To the Defendant:—

10. For all proceedings before notice of trial.....	15 00
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To either Party:—

11. For all proceedings after notice of trial and before trial, except as herein otherwise provided.....	12 00
12. For examining a witness under rule 485, or under an order for examination <i>de bene esse</i> , or under a commission, such sum as may be taxed by the taxing officer under the provisions of the tariff at present in force in the county courts. ....	.....



- 12. For the trial and down to and including judgment . . . . . § 25 00
- 13. Where a trial is postponed upon the application of either party the judge may allow to the party opposing such adjournment a counsel fee not exceeding . . . . . 10 00
- 14. After judgment all costs in the action shall be taxed under the provisions of the tariff at present in force in the county courts . . . . .
- 15. A party to whom costs are awarded shall be entitled to include in his bill of costs all his necessary disbursements (not including counsel fees) which would be taxable to him under the provisions of the tariff at present in force in the county courts. . . . .

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**TARIFF B.**

*(Referred to in Section 17.)*

- 16. The profit costs provided for by Tariff A. down to and including judgment, shall be increased by one-half . . . . .

No. 164.

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4th Session, 9th Legislature,  
1 Edward VII, 1901.

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BILL.

An Act respecting Legal Procedure and  
County Courts Jurisdiction.

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First Reading, 15th March, 1901.

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Mr. GIBSON.

TORONTO:

Printed by L. K. GARRISON,

Printer to the King's Most Excellent Majesty.

An Act to confirm By-Law Number 66 of the  
Township of King.

**W**HEREAS the municipal corporation of the township of King has petitioned that an Act may be passed to confirm and legalize by-law No 66 of the said township, passed on the 25th day of September, 1897, and to ratify and confirm an agreement between the said municipality and the Schomberg and Aurora Railway Company, passed in pursuance of the said by-law, and further to ratify and confirm certain levies heretofore made by the said municipality under said by-law and for other purposes; and whereas it is expedient to grant the prayer of the said petition.

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** By-law No. 66 of the municipal corporation of the township of King, set forth in schedule A to this Act, is confirmed and declared legal, valid and binding upon the said municipal corporation and the ratepayers thereof, and the said corporation of the township of King is hereby authorized and empowered to issue debentures thereunder as authorized by the said by-law within two years after the passing of this Act, and the debentures so heretofore signed and executed and to be issued under the said by-law are hereby declared legal, valid and binding upon the said municipality and the ratepayers thereof, and the said municipal corporation is hereby authorized and empowered to do all acts necessary for the full and proper carrying out of the said by-law No. 66.

**2.** All rates heretofore levied or hereafter to be levied by the said municipality under the said by-law are hereby legalized, ratified and confirmed, and the said municipality is hereby authorized to levy such further rates as may be necessary in pursuance thereof.

**3.** The agreement between the municipal corporation of the township of King and the Schomberg and Aurora Railway Company, set forth in schedule B to this Act, is hereby ratified and confirmed and declared to be legal, valid and binding upon the parties thereto.

Delivery of  
debentures  
to railway  
company.

4. The said municipal corporation of the township of King is hereby authorized and empowered to deliver the debentures to be issued under the said by-law, or the proceeds thereof, to the Schomberg and Aurora Railway Company upon the fulfilment of the conditions set out in the said by-law.

5

### SCHEDULE A.

#### BY-LAW No. 66.

To raise by way of loan the sum of twelve thousand dollars for the purpose of giving a bonus to the Schomberg and Aurora Railway Company, to assist the said company in building a railroad through part of the township of King.

1st. Whereas *The Consolidated Municipal Act of 1892* gives power to the council of every township to pass by-laws for granting bonus to any railway company in aid of such railway, and for issuing debentures for raising money to meet such bonuses.

2nd. And whereas a petition from a large number of the ratepayers has been presented to the council of the township of King praying that a by-law may be submitted to the ratepayers of a certain portion of the said township to raise the sum of twelve thousand dollars to be given as a bonus to the Schomberg and Aurora Railway Company to assist in building a railroad from some point between King station and Newmarket on the Grand Trunk Railway to a point at or near the village of Schomberg.

3rd. And whereas it is desirable that the said sum of twelve thousand dollars be raised by way of loan upon the debentures of the township of King, chargeable upon the rateable property hereinafter mentioned, to be issued in such sums as may be deemed best, so that no debenture shall be issued for a less sum than one hundred dollars; the said debentures to bear interest at the rate of four per centum per annum, and the said debentures for the principal sum of twelve thousand dollars to be payable in annual instalments during the period of fifteen years.

4th. And whereas the property to be charged with the due repayment of the principal and interest of the said debentures are described as follows, namely:—The west half of lots numbers nineteen to thirty-four, both inclusive, in the third concession; all township lots numbers seven to twelve, both inclusive, in the first, second and third concessions new survey; all township lots numbers nineteen to thirty-five, both inclusive, in the fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh and twelfth concessions, and all township lots numbers one and two in the new survey, all being in the township of King, in the county of York, and being the property to be especially benefited by the construction of the said railway.

5th. And whereas to provide for the payment of the annual instalments of principal and interest on the said debentures as the same shall fall due, and be payable it shall be necessary to raise a certain specific sum annually for the due payment of such instalments during the currency of the said debentures and until they are respectively become due and payable as follows:

In year	1898,	for interest	\$480.00,	for principal	\$599.07.
"	1899	"	456.04	"	623.03.
"	1900	"	430.77	"	648.30.
"	1901	"	404.85	"	674.22.
"	1902	"	377.90	"	701.17.
"	1903	"	349.87	"	729.20.
"	1904	"	320.73	"	758.34.
"	1905	"	290.41	"	788.66.
"	1906	"	258.87	"	820.20.

In year 1907, for interest	\$226.07,	for principal	\$855.00.
" 1908	" 190.95	"	887.12.
" 1909	" 156.47	"	922.60.
" 1910	" 119.57	"	959.50.
" 1911	" 81.21	"	997.86.
" 1912	" 44.34	"	1037.73.

6th. And whereas the whole sum to be raised annually, by special rate upon the rateable property of the Township of King mentioned in preamble 4 of this by-law, for the purpose of paying off the said debentures as they fall due together with the annual interest thereon is the annual sum one thousand and seventy-nine dollars and seven cents over and above all other rates raised, levied and collected in the municipality of the Township of King.

7th. And whereas the amount of the rateable property mentioned in preamble 4 of this by-law according to the last revised assessment roll for the Township of King for the year 1897 is the sum of one million twenty-five thousand four hundred and twenty dollars.

8th. And whereas the amount of the existing debenture debt of the said corporation of the Township of King is for principal the sum of "nothing."

9th. And whereas it is deemed advisable that the said debenture for the said principal sum of twelve thousand dollars shall be paid by annual instalments during the period of fifteen years from the day on which this by-law takes effect.

Now, therefore, the council of the corporation of the municipality of the Township of King, enacts as follows:—

1. That it shall and may be lawful for the corporation of the Township of King to raise by way of loan for the purposes hereinbefore mentioned, the sum of twelve thousand dollars.

2. That in order to raise the said sum of twelve thousand dollars the municipal council of the corporation of the Township of King shall issue debentures of the said corporation to the amount of twelve thousand dollars and intent to be sealed with the corporate seal and signed by the reeve and treasurer of the said municipality of the Township of King.

3. That no such debenture shall be less than one hundred dollars.

4. That the said debentures shall be payable during fifteen years from the date hereinafter mentioned for this by-law to take effect and shall be so payable on the first day of December in each year after the day when this by-law is to take effect, "except the first debenture which shall not be payable until December, 1898," at the Ontario Bank in Aurora and each such debenture shall be for the instalment of principal hereinafter set out and the interest at the rate of four per cent. per annum due up to date of payment of such debenture upon all principal then unpaid and the first debentures to be payable on the first day of November, A.D., 1898.

5. That for the purpose of paying off the said debentures there shall be raised, levied and collected upon the rateable property of the west halves of lots numbers nineteen to thirty-four, both inclusive, in the third concession; all lots numbers seven to twelve, both inclusive, in the first, second and third concessions, new survey; all lots numbers nineteen to thirty-five, both inclusive, in the fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh and twelfth concessions and all lots numbers one and two in the new survey, all being within the said corporation of the municipality of the Township of King, annually, over and above all other rates raised, levied and collected within the said municipality of the Township of King the following specific sums, namely:—

In year 1898, for interest,	\$480.00;	for principal,	\$599.07
" 1899	" 456.04	"	623.03
" 1900	" 430.77	"	648.30
" 1901	" 404.85	"	674.22
" 1902	" 377.90	"	701.18
" 1903	" 349.87	"	729.20
" 1904	" 320.73	"	758.34

In year 1905, for interest,	\$290 41	for principal,	\$788 66
" 1906	" 258 87	"	820 20
" 1907	" 226 07	"	853 60
" 1908	" 191 85	"	887 12
" 1909	" 156 47	"	922 60
" 1910	" 119 57	"	959 50
" 1911	" 81 21	"	997 86
" 1912	" 41 34	"	1,037 73

Which said sums to be raised annually will be sufficient to pay off the said debentures and discharge the said debt.

6. That the said amount to be raised annually to pay interest on the said debt, and the said amount to be raised annually to pay off the said debt make together the sum of one thousand and seventy-nine dollars and seven cents to be raised, levied and collected in each of the said years for fifteen years, which said annual sum shall be raised and levied in each of said years by a special rate sufficient therefor on all the rateable property of the said Township of King hereinbefore mentioned and described.

7. That the treasurer of the township of King shall pay the said debentures as they fall due, and upon maturity thereof, out of the fund hereby created and to be raised for that purpose, or out of any funds in his hands belonging to the said municipality without any other authority than this by-law.

8. That this by-law shall come into force and take effect on and after the 25th day of September, A.D. 1897.

9. That no part of the said bonus of twelve thousand dollars shall be paid to the Schomberg and Aurora Railway Company until the said company shall have built six miles of railroad in a manner satisfactory to and passed the inspection of the Dominion Superintendent of Railways, when six thousand dollars shall be paid, and the remaining sum of six thousand dollars to be paid over on the completion of the said railroad and passing and approval of same by the Superintendent of Railways.

10. And be it hereby further enacted that the votes of the electors of the said township of King entitled to vote with respect to the property hereinbefore mentioned and described particularly, shall be taken on this by-law and recorded as by law directed at the places and on the days and times hereinafter mentioned, that is to say:—For Polling Subdivision No. 4, at Temperance Hall, Kettleby; for Polling Subdivision No. 6, at Music Hall, Schomberg; for Polling Subdivision No. 8, at Doyle's office, Lloydtown, on Thursday, the 9th day of September, A.D. 1897, commencing at the hour of nine o'clock in the forenoon and closing at five o'clock in the afternoon of the same day, and that Charles Patterson shall be returning officer and that Wm. E. Fox be deputy returning officer for taking the votes in Polling Subdivision No. 4 and Alex. Wilkinson be the deputy returning officer for taking the votes in Polling Subdivision No. 6, and Michael E. Doyle be the deputy returning officer for taking the votes in Polling Subdivision No. 8, on the eleventh day of September, 1897, and the office of the clerk of the said township at the hour of twelve o'clock noon are hereby fixed as the time and place and hour when and where the returning officer shall sum up the votes given for and against this by-law and declare the result of said vote.

The sixteenth day of August, A.D. 1897, at Harris' Hotel, Schomberg, at the hour of one o'clock p.m., are hereby fixed as the time and place and hour for the appointment of persons to attend at the various polling places, and at the final summing up of the votes by the returning officer on behalf of the persons interested in and promoting or opposing respectively the passage of this by-law.

Passed Sept. 25th, 1897.

(Sgd) CHARLES PATTERSON,  
Clerk.

{ L. S. }

(Sgd) JAMES CHERRY,  
Reeve.

I, Charles Patterson, clerk of the municipality of the township of King, do hereby certify the foregoing to be a true copy of the by-law passed by the municipal corporation of the township of King, entitled a by-law to grant a bonus of twelve thousand dollars in aid of the Schomberg and Aurora Railway Company.

Given under my hand and the seal of the corporation this 2nd day of January, 1900.

CHAS. PATTERSON,  
Clerk.

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### SCHEDULE B.

Articles of agreement made and entered into this twenty- day of March in the year of our Lord one thousand eight hundred and ninety-eight.

Between  
The Schomberg and Aurora Railway hereinafter called the company,

of the first part

and

The municipality of the Township of King hereinafter called the municipality,

of the other part.

Whereas the company is empowered to lay out, construct and operate a line of railway from some point on the Southern Division of the Grand Trunk Railway of Canada between the stations known as King and Newmarket, to a point at or near the Village of Schomberg in the county of York.

And whereas a petition from a large number of the ratepayers of the municipality was presented to the council of the municipality, praying that a by-law might be submitted to the ratepayers of a certain portion of the municipality to raise the sum of \$12,000 to be given as a bonus to the company to assist in building the said railway.

And whereas, the said by-law, was after submission to the said ratepayers and adoption by them, duly passed on the 25th day of September, 1897, and the company is entitled to such bonus, payable as hereinafter set forth.

It is therefore agreed between the parties as follows :—

1. The company shall and will, well, truly and faithfully lay out, make, build, construct, operate and equip a line of railway of uniform gauge at four feet eight and a half inches from some point on the northern division of the Grand Trunk between the stations known as King and Newmarket to a point at or near the Village of Schomberg, in the county of York.

2. The municipality in consideration of the premises hereby, covenants and agrees to pay to the company the sum of \$17,000 as follows :—

\$6,000, as soon as the company shall have built six miles of its railway and the same shall be certified to be satisfactory by the chief engineer of Government Railways or by an engineer approved by the Government and the remaining \$6,000 upon completion of the said line of railway, and upon the work upon said remaining portion being certified to be satisfactory by the said chief engineer or by an engineer approved of by the government.

The parties hereto covenant each with the other, that all such things shall be done and performed by them respectively as shall be necessary to fully carry into effect, the provisions of the said by-law and of this agreement.

In the event of legislation being applied for to confirm the said by-law and this agreement, the municipality will support such legislation.

In witness whereof this indenture has been executed by the respective parties hereto.

Signed, sealed and delivered in presence of	}	JAMES CHERRY,
		Reeve.
JOHN F. DOYLE.	}	CHAS. PATTERSON,
		(Stamp) Clerk.

A By-law for the better securing and authorizing the Collection of Taxes imposed under By-law number "66" for the Township of King.

Whereas, a certain by-law numbered "66" was duly passed after receiving the proper assent of the rate-payers by the council of the municipality of King township, which by-law was for the purpose of lending aid by way of bonus to "The Schomberg and Aurora Railway Company," and

Whereas, the proper rate required to be assessed against each rate-payer, was duly placed upon the collectors' roll as prepared and issued by the clerk of this township in pursuance of verbal instructions by him received from the members of the council at a meeting or meetings held, and

Whereas, the clerk in pursuance of such instructions and also by virtue of the provisions of the said by-law and in furtherance of the unanimous intention of the said council duly placed the said rate upon the collectors' roll in pursuance of his duty.

Be it therefore enacted, that the action of the clerk of the township in placing the said rate (commonly known as the railway bonus tax or rate) upon the collectors' roll for the year 1899, be and the same is hereby ratified and confirmed.

Be it further enacted, that said rate or tax be assessed and levied upon the present roll as if a by-law had originally been passed for that purpose prior to the preparation and delivery of the said roll, for the year 1899, to the said collector.

Passed this December 15th, 1899.

(Sgd.)	CHAS. PATTERSON,	Clerk.
(Sgd.)	SIMEON LEMON,	Reeve.





No. 165.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

An Act to continue By-law No. 66 of the  
Township of King.

First Reading, 21st March, 1901.

Mr. BARBER.

TORONTO :

PRINTED BY L. K. GAMMON,  
Printer to the King's Most Excellent Majesty.

An Act to confirm By-Law Number 66 of the  
Township of King.

**W**HEREAS the Municipal Corporation of the Township of King has petitioned that an Act may be passed to confirm and legalize By-law No 66 of the said township, passed on the 25th day of September, 1897, and to ratify and confirm an agreement between the said municipality and The Schomberg and Aurora Railway Company, passed in pursuance of the said by-law, and further to ratify and confirm certain levies heretofore made by the said municipality under said by-law and for other purposes; and whereas The Schomberg and Aurora Railway Company has joined the said Municipal Corporation in requesting that an Act may be passed for the purposes aforesaid; and whereas it is expedient to grant the prayer of the said petition, subject to the conditions hereinafter contained:

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. By-law No. 66 of the Municipal Corporation of the Township of King, set forth as Schedule "A" to this Act, is confirmed and declared legal, valid and binding upon the said municipal corporation and the ratepayers thereof, and the said Corporation of the Township of King is authorized and empowered to issue debentures thereunder as authorized by the said by-law within two years after the passing of this Act, and the debentures heretofore signed and executed and to be issued under the said by-law are declared legal, valid and binding upon the said municipality and the ratepayers thereof, and the said municipal corporation is authorized and empowered to do all acts necessary for the full and proper carrying out of the said By-law No. 66.

2. All rates heretofore levied or hereafter to be levied by the said municipality under the said by-law are legalized, ratified and confirmed, and the said municipality is authorized to levy such further rates as may be necessary in pursuance of the said by-law.

Agreement  
with Schom-  
berg and  
Aurora Ry.  
confirmed.

3. The agreements between the Municipal Corporation of the Township of King and The Schomberg and Aurora Railway Company, set forth *respectively* as Schedules "B," "C" to this Act, are ratified and confirmed and declared to be legal, valid and binding upon the parties thereto.

## SCHEDULE A.

### BY-LAW No. 66.

To raise by way of loan the sum of twelve thousand dollars for the purpose of giving a bonus to the Schomberg and Aurora Railroad Company, to assist the said company in building a railroad through part of the township of King.

1st. Whereas *The Consolidated Municipal Act of 1892* gives power to the council of every township to pass by-laws for granting bonus to any railway company in aid of such railway, and for issuing debentures for raising money to meet such bonuses.

2nd. And whereas a petition from a large number of the ratepayers has been presented to the council of the township of King praying that a by-law may be submitted to the ratepayers of a certain portion of the said township to raise the sum of twelve thousand dollars to be given as a bonus to the Schomberg and Aurora Railroad Company to assist in building a railroad from some point between King station and Newmarket on the Grand Trunk Railway to a point at or near the village of Schomberg.

3rd. And whereas it is desirable that the said sum of twelve thousand dollars be raised by way of loan upon the debentures of the township of King, chargeable upon the rateable property hereinafter mentioned, to be issued in such sums as may be deemed best, so that no *such* debenture shall be issued for a less sum than one hundred dollars: the said debentures to bear interest at the rate of four per centum per annum, and the said debentures for the principal sum of twelve thousand dollars to be payable in annual instalments during the period of fifteen years.

4th. And whereas the property to be charged with the due repayment of the principal and interest of the said debentures are described as follows, namely:—The west half of lots numbers nineteen to thirty-four, both inclusive, in the third concession; all township lots numbers seven to twelve, both inclusive, in the first, second and third concessions new survey; all township lots numbers nineteen to thirty-five, both inclusive, in the fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh and twelfth concessions, and all township lots numbers one and two in the new survey, all being in the township of King, in the county of York, and being the property to be especially benefited by the construction of the said railway.

5th. And whereas to provide for the payment of the annual instalments of principal and interest on the said debentures as the same shall fall due and be payable it shall be necessary to raise a certain specific sum annually for the due payment of such instalments during the currency of the said debentures and until they *all* respectively become due and payable as follows:

In year 1898, for interest	\$480.00,	and for principal	\$599.07.
" 1899	" 456.04	"	623.03.
" 1900	" 430.77	"	648.30.
" 1901	" 404.85	"	674.22.
" 1902	" 377.90	"	701.17.
" 1903	" 349.87	"	729.20.
" 1904	" 320.73	"	758.31.
" 1905	" 290.41	"	788.66.
" 1906	" 258.87	"	820.20.

In year 1907, for interest	\$226.07,	for principal	\$855.00.
" 1908	" 193.95	"	887.12.
" 1909	" 156.47	"	922.00.
" 1910	" 119.57	"	959.50.
" 1911	" 81.21	"	997.86.
" 1912	" 41.34	"	1037.73.

6th. And whereas the whole sum to be raised annually, by special rate upon the rateable property of the Township of King mentioned in preamble 4 of this by-law, for the purpose of paying off the said debentures as they fall due together with the annual interest thereon is the annual sum one thousand and seventy nine dollars and seven cents over and above all other rates raised, levied and collected in the municipality of the Township of King.

7th. And whereas the amount of the rateable property mentioned in preamble 4 of this by-law according to the last revised assessment roll for the Township of King for the year 1897 is the sum of one million twenty five thousand four hundred and twenty dollars.

8th. And whereas the amount of the existing debenture debt of the said corporation of the Township of King is for principal the sum of "nil."

9th. And whereas it is deemed advisable that the said debentures for the said principal sum of twelve thousand dollars shall be paid by annual instalments during the period of fifteen years from the day on which this by-law takes effect.

Now, therefore, the council of the corporation of the municipality of the Township of King, enacts as follows:— and it is hereby enacted:—

1. That it shall and may be lawful for the corporation of the Township of King to raise by way of loan for the purposes hereinbefore mentioned, the sum of twelve thousand dollars.

2. That in order to raise the said sum of twelve thousand dollars the municipal council of the corporation of the Township of King shall issue debentures of the said corporation to the amount of twelve thousand dollars and interest to be sealed with the corporate seal and signed by the reeve and treasurer of the said municipality of the Township of King.

3. That no such debenture shall be less than one hundred dollars.

4. That the said debentures shall be payable during fifteen years from the date hereinafter mentioned for this by-law to take effect and shall be so payable on the first day of December in each year after the day when this by-law is to take effect, "except the first debenture which shall not be payable until December, 1898," at the Ontario Bank in Aurora and each such debenture shall be for the instalment of principal hereinafter set out and the interest at the rate of four per centum per annum due up to date of payment of such debenture upon all principal then unpaid and the first of such debentures to be payable on the first day of November, A.D., 1898.

5. That for the purpose of paying off the said debentures there shall be raised, levied and collected upon the rateable property of the west halves of lots numbers nineteen to thirty-four, both inclusive, in the third concession; all lots numbers seven to twelve, both inclusive, in the first, second and third concessions, new survey; all lots numbers nineteen to thirty-five both inclusive, in the fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh and twelfth concessions and all lots numbers one and two in the new survey, all being within the said corporation of the municipality of the Township of King, annually, over and above all other rates raised, levied and collected within the said municipality of the Township of King the following specific sums, namely:—

In year 1898, for interest,	\$40.00;	for principal,	\$599.07
" 1899	" 456.04	"	623.03
" 1900	" 430.77	"	648.30
" 1901	" 404.85	"	674.22
" 1902	" 377.90	"	701.17
" 1903	" 349.87	"	729.20
" 1904	" 320.73	"	758.34

In year 1905, for interest.	\$290 41	; for principal,	\$788 66
" 1906	" 258 87	"	820 20
" 1907	" 226 07	"	853 60
" 1908	" 191 95	"	887 12
" 1909	" 156 47	"	922 60
" 1910	" 119 57	"	959 50
" 1911	" 81 21	"	997 86
" 1912	" 41 34	"	1,037 73

Which said sums to be so raised annually will be sufficient to pay off the said debentures and discharge the said debt.

6. That the said amount to be raised annually to pay interest on the said debt, and the said amount to be raised annually to pay off the said debt make together the sum of one thousand and seventy-nine dollars and seven cents to be raised, levied and collected in each of the said years for fifteen years, which said annual sum shall be raised and levied in each of said years by a special rate sufficient therefor on all the rateable property of the said Township of King hereinbefore mentioned and described.

7. That the treasurer of the township of King shall pay the said debentures as they fall due, and upon maturity thereof, out of the fund hereby created and to be raised for that purpose, or out of any funds in his hands belonging to the said municipality without any other authority than this by-law.

8. That this by-law shall come into force and take effect on and after the 25th day of September, A.D. 1897.

9. That no part of the said bonus of twelve thousand dollars shall be paid to the Schomberg and Aurora Railway Company until the said company shall have built six miles of railroad in a manner satisfactory to and passed the inspection of the Dominion Superintendent of Railways, when six thousand dollars shall be paid, and the remaining sum of six thousand dollars to be paid over on the completion of the said railroad and passing and approval of same by the said Superintendent of Railways.

10. And be it hereby further enacted that the votes of the electors of the said township of King entitled to vote with respect to the property hereinbefore particularly mentioned and described, shall be taken on this by-law and recorded as by law directed at the places and on the days and times hereinafter mentioned, that is to say:—For Polling Subdivision No. 4, at Temperance Hall, Kett'eb'y; for Polling Subdivision No. 6, at Music Hall, Schomberg; for Polling Subdivision No. 8, at Doyle's office, Lloydtown, on Thursday, the 9th day of September, A.D. 1897, commencing at the hour of nine o'clock in the forenoon and closing at five o'clock in the afternoon of the same day, and that Charles Patterson shall be returning officer and that Wm. E. Fox be deputy returning officer for taking the votes in Polling Subdivision No. 4 and Alex. Wilkinson be the deputy returning officer for taking the votes in Polling Subdivision No. 6, and Michael F. Doyle be the deputy returning officer for taking the votes in Polling Subdivision No. 8, on the eleventh day of September, 1897, and the office of the clerk of the said township at the hour of twelve o'clock noon are hereby fixed as the time and place and hour when and where the returning officer shall sum up the votes given for and against this by-law and declare the result of said vote.

The sixteenth day of August, A.D. 1897, at Harris' Hotel, Schomberg, at the hour of one o'clock p.m., are hereby fixed as the time and place and hour for the appointment of persons to attend at the various polling places, and at the final summing up of the votes by the returning officer on behalf of the persons interested in and promoting or opposing respectively the passage of this by-law.

Passed Sept. 25th, 1897.

(Sgd) CHARLES PATTERSON,  
Clerk.

{ L. S. }

(Sgd) JAMES CHERRY,  
Reeve.

I, Charles Patterson, clerk of the municipality of the township of King, do hereby certify the foregoing to be a true copy of the by-law passed by the municipal corporation of the township of King, entitled a by-law to grant a bonus of twelve thousand dollars in aid of the Schomberg and Aurora Railway Company.

Given under my hand and the seal of the corporation this 2nd day of January, 1900.

CHAS. PATTERSON,  
Clerk.

### SCHEDULE B.

Articles of agreement made and entered into this twenty-sixth day of March in the year of our Lord one thousand eight hundred and ninety-eight. Between The Schomberg and Aurora Railway Company hereinafter called the company, of the one part and the municipality of the Township of King hereinafter called the municipality, of the other part.

Whereas the company is empowered to lay out, construct and operate a line of railway from some point on the Northern Division of the Grand Trunk Railway of Canada between the stations known as King and Newmarket, to a point at or near the Village of Schomberg in the county of York.

And whereas a petition from a large number of the ratepayers of the municipality was presented to the council of the municipality, praying that a by-law might be submitted to the ratepayers of a certain portion of the municipality to raise the sum of \$12,000 to be given as a bonus to the company to assist in building the said railway.

And whereas, the said by-law, was after submission to the said ratepayers and adoption by them, duly passed on the 25th day of September, 1897, and the company is entitled to such bonus, payable as hereinafter set forth.

It is therefore agreed between the parties as follows:—

1. The company shall and will, well, truly and faithfully lay out, make, build, construct, operate and equip a line of railway of a uniform gauge at four feet eight and a half inches from some point on the northern division of the Grand Trunk between the stations known as King and Newmarket to a point at or near the Village of Schomberg, in the county of York.

2. The municipality in consideration of the premises hereby, covenants and agrees to pay to the company the sum of \$12,000 as follows:—

\$6,000, as soon as the company shall have built six miles of its line of railway and the same shall be certified to be satisfactory by the chief engineer of Government Railways or by an engineer approved by the Government and the remaining \$6,000 upon completion of the said line of railway, and upon the work upon said remaining portion being certified to be satisfactory by the said chief engineer or by an engineer approved of by the government.

3. The parties hereto covenant each with the other, that all such things shall be done and performed by them respectively as shall be necessary to fully carry into effect, the provisions of the said by-law and of this agreement.

4. In the event of legislation being applied for to confirm the said by-law and this agreement, the municipality will support such legislation.

In witness whereof this indenture has been executed by the respective parties hereto.

Signed, sealed and delivered in presence of	}	JAMES CHERRY,
		Reeve.
		CHAS. PATTERSON, (Stamp) Clerk.

M. F. DOYLE. }  
The Schomberg and Aurora Railway Company,

Witness,	W. A. WARREN,	C. D. WARREN,
THOMAS W. SLATTERY.	Secretary-Treasurer.	President.

No. 165.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

An Act to confirm By-law No. 66 of the  
Township of King.

First Reading, 21st March, 1901.

*(Reprinted as amended by Private Bills  
Committee)*

Mr. BARBER.

TORONTO:

PRINTED BY L. N. CARRISON,

Printer to the King's Most Excellent Majesty.



## An Act to amend The Municipal Drainage Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Sub-section (3) of section 3 of *The Municipal Drainage Act* shall be deemed and construed to have always authorized an assessment for "injuring liability" under the circumstances therein set forth notwithstanding that the lands so assessed may not be or have been benefited by the drainage work therein provided for or authorized.
2. Sub-section (4) of section 3 of the said Act shall be deemed and construed to have always authorized an assessment for "outlet liability" under the circumstances therein set forth notwithstanding that the work for which such assessment was or may be made was wholly within one municipality and that the lands so assessed may not be or have been benefited by the drainage work therein provided for or authorized, and such assessment need not be confined to a work continued into another municipality than the initiating municipality for the purposes of the outlet.
3. Sub-section (1) of section 71 of the said Act is amended by adding thereto the following: "The order of the referee upon such appeal shall be subject to appeal of the Court of Appeal for Ontario, and the decision of the Court of Appeal for Ontario shall be final and conclusive as to all corporations affected thereby."
4. Section 74 of the said Act is amended by striking out the words "deepen, widen or extend" in lines 7 and 8 and inserting in lieu thereof the words "make improvements thereto by deepening, widening or extending," and by striking out the word "repairs" in line 11 and inserting in lieu thereof the words "said improvements."
5. Section 75 of said Act shall be deemed and construed to have always applied to drainage works as defined in sub-section 1 of section 3 of said Act and to works constructed under the provisions of *The Ontario Drainage Act*.

Rev. Stat.  
c. 226, s. 3,  
subs. 3,  
amended.

Meaning of  
"injuring  
liability."

Rev. Stat.  
c. 226, s. 3,  
subs. 4,  
amended.

Meaning of  
"outlet li-  
ability."

Rev. Stat.  
c. 226, s. 71,  
subs. 1.

Appeals from  
referee.

Rev. Stat.  
c. 226, s. 74,  
amended.

Rev. Stat.  
c. 226, s. 75.

Rev. Stat.  
c. 226, s. 89,  
subs. 2,  
amended.

6. Sub-section (2) of section 89 of the said Act is amended by inserting after the word "all" in the first line thereof the words "applications and."

Rev. Stat.  
c. 226, s. 93,  
repealed.

7. Section 93 of said Act is repealed and the following section substituted therefor: 5

All applica-  
tions, etc.,  
affecting  
drainage  
works to be  
made before  
referee.

93.—(1) All applications to set aside, declare void, or otherwise directly or indirectly, attack the validity of any petition, report of an engineer, resolution of a council, by-law provisionally adopted or finally passed, relating to a drainage work as hereinbefore defined, as well as all proceedings to determine claims and disputes arising between municipalities or between a company and a municipality or between individuals and a municipality, company or individual, in the construction, improvement or maintenance of any drainage work under the provisions of this Act, or consequent thereon, or by reason of negligence, or for a mandamus or an injunction, shall be made to and shall be heard or tried by the referee only, who shall hear and determine the same and give his decision and his reasons therefor. 10 15

Procedure.

(2) Proceeding for the determination of claims and disputes and for the recovery of damages by reason of negligence, or by way of compensation or otherwise, or for a mandamus or an injunction, under this section, shall be instituted by serving a notice claiming damages or compensation, or a mandamus or an injunction, as the case may be, upon the other party or parties concerned and the notice shall set forth the grounds of the claim. 20 25

Service of  
notice of  
claim.

(3) A copy of the notice with an affidavit of service thereof shall be filed with the clerk of the county court of the county or union of counties in which the lands in question are situate, and the notice shall be filed and served within one year from the time the cause of complaint arose. 30 35

Notice of  
motion.

(4) All applications under this section shall be made by notice of motion based upon affidavits filed, not less than ten days before the date on which the motion shall be made, with the clerk of the county court of the county or counties in which the municipality whose proceeding is called in question is situate. 35 40

Proceedings  
to be taken  
under this  
section.

(5) No application or proceeding within the meaning of this section shall be made or instituted otherwise than as therein provided. 40 45

Rev. Stat.  
c. 226, s. 94,  
repealed.

8. Section 94 of said Act is hereby repealed and the following section substituted therefor:

Decision of  
Court of  
Appeal to be  
final.

94. The decision of the referee in all applications and proceedings under this Act, not otherwise provided for as being final and conclusive between the parties, shall be subject to appeal to the Court of Appeal for Ontario and its decision 45

thereon shall be final, conclusive and binding upon all parties to the application or other proceeding.”

9. The said Act is further amended by inserting therein the following section :

Rev. Stat.  
c 226,  
amended.

5 114. All parts of Acts inconsistent with this Act are hereby repealed.

Repeal of  
inconsistent  
provisions.

No. 166.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

An Act to amend The Municipal Drainage  
Act.

First Reading, 18th March, 1901.

Mr. GIBSON.

TORONTO:

PRINTED BY L. K. CAMERON,  
Printer to the King's Most Excellent Majesty.

## An Act to amend The Assessment Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :

1. Subsection 1 of section 28 of *The Assessment Act* is repealed and the following subsections are substituted therefor :

Rev. Stat.  
c. 224, s. 28,  
subs. 1,  
amended.

28—(1) Except in the case of mineral lands hereinafter provided for, real and personal property shall be assessed at their actual value.

Valuation of  
real and personal  
property.

10 (1b) In assessing land having any buildings thereon the value of the land and buildings shall be ascertained separately, and shall be set down separately in column 12 of the assessment roll, and the assessment shall be the sum of such values. The value of land apart from the buildings thereon, but including all other improvements, shall be its actual value, regard being had to its condition, situation and other advantages, and the use to which it is or may be applied; and the value of the buildings shall be their actual value, regard being had to the state of repair and the cost of reproduction thereof, and any other circumstances affecting their value.

Separate  
valuation of  
land and  
buildings,  
etc., thereon.  
Matters to be  
considered in  
valuing land.

25 (1c) The assessor or assessors of a municipal corporation shall assess all buildings, structures, areas, superstructures, fixtures and other things existing, erected, or placed upon, in, over, under, or affixed to any highway, road, street, lane, or public place or water within the municipality, and shall value the same, for the purpose of such assessment, as real estate of the person owning, operating or using the same, at the actual value thereof, regard being had to the cost of reproducing and replacing the same for the purpose for which the same are owned, operated or used, and to their state of repair and also to any agreement or by-law between such person and the municipal corporation by which such person has obtained any right or privilege with respect to the occupation or use of highways, roads, streets, lanes, public places or waters within the municipality.

Valuation of  
structures,  
etc., upon, in,  
over or under  
highways, etc.

30 (1d) Such assessment and valuation shall also extend to and include all poles, wires, attachments and instruments being the

and other  
lands.

property of or operated or used by any such person, planted in, extending over or under or affixed to or within any land or building belonging to any other person.

Assessment where the highway is between two municipalities. (1*e*) Where any property mentioned in subsections 1*c* or 1*d* is in or on a road which lies wholly or partly between two municipalities, although such road may deviate so as in some places to be wholly or partly within either of them, the assessors of the respective municipalities shall make a joint assessment thereof, and one-half of the amount of such assessment shall be inserted in the assessment roll of each municipality. 5 10

Arbitration in case of disagreement of assessors. (1*f*) In the event of disagreement between the assessors the assessment shall be determined by an arbitrator to be appointed by the Judge of the County Court of the county within which either of the said municipalities lies; and the expense of any such arbitration shall be paid jointly by the respective municipalities. 15

Rev. Stat. c. 224, s. 28, subs. 2, amended. 2. Subsection 2 of section 28 of *The Assessment Act* is amended by striking out the figure “(2)” at the beginning thereof and substituting therefor the figure “(7)”. 20

Rev. Stat. c. 224, amended. 3. The following sections are hereby inserted in *The Assessment Act* as sections 28*a* and 28*b*. 20

Statement to be furnished to assessor, etc. 28*a*.—(1) Every person assessable in respect of property referred to in subsections 1*c* and 1*d* of section 28 of this Act shall, if requested in writing by the assessor or assessment commissioner, deliver to him or to the clerk of the municipality, within 15 days after such request, a statement in writing specifying in such detail as the assessor or assessment commissioner may have required, the property aforesaid and the value thereof, having regard to the cost of re-producing and re-placing the same, for the purpose for which it is owned, operated or used, and to its repair. 25 30

Verification hereof. (2) The said statement shall be signed by or on behalf of such person, and shall be verified by an oath or statutory declaration in writing attached thereto. 40

Penalty for failure to deliver statement. (3) Any person who, having been duly required so to do, refuses or neglects to deliver the said statement, shall incur a penalty of \$100, and an additional penalty of \$10 for each day default continues. 35

or for false statement therein. (4) Any person knowingly stating anything falsely in any such statement shall incur a penalty of \$200. 40

Recovery of penalties. (5) The penalties imposed by this section may be recovered on summary conviction before any Justice of the Peace having jurisdiction within the municipality, and shall be paid over to the municipality. 45

Assessor not bound by the statement. 28*b*. The assessor shall not be bound by any such statement, but he shall use all other available means to enable him to 45

assess such property at its actual value as provided by sub-sections 1c and 1d of section 28 of this Act : and the council of the municipality may, by resolution, authorize the assessor to employ expert or other assistance for the purpose of making  
5 any such assessment.

4. Schedule E to *The Assessment Act* is hereby amended by striking out the last two lines of the paragraph numbered 1 of the form of oath given in said Schedule and substituting therefor the words "at its actual value as prescribed by law."

Rev. Stat.  
c. 224.  
Sched. E.  
amended.

10 5. This Act shall not apply to steam railways.

Act not to  
apply to steam  
railways.

6. Subsection 10 a of section 7 of *The Assessment Act* as enacted by *The Assessment Amendment Act, 1900*, is amended by inserting after the word "Ontario" at the end of the fifth line the words "whether held in the name of such society or  
15 in the names of trustees or otherwise for the purposes of such society."

Rev. Stat.  
c. 224. s. 7,  
subs. 10a,  
amended.

No. 167.

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4th Session, 9th Legislature,  
1 Edward VII, 1901.

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BILL.

An Act to amend The Assessment Act.

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First Reading, 19th March, 1901.

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Mr. ROSS.

TORONTO:

PRINTED BY L. K. CAMERON,  
Printer to the King's Most Excellent Majesty.



## An Act to amend The Assessment Act.

**HIS MAJESTY**, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:—

1. Subsection 10a of section 7 of *The Assessment Act* as enacted by *The Assessment Amendment Act, 1900*, is amended by inserting after the word "Ontario" at the end of the fifth line the words "whether held in the name of such society or in the names of trustees or otherwise for the purposes of such society."

Rev. Stat.  
c. 224, s. 7,  
subs. 10a  
amended.

2. *The Assessment Act* is amended by inserting therein after section 18, the following sections:—

Rev. Stat.  
c. 224  
amended.

18a. Real property belonging to or in the possession of any person or incorporated company, and extending over more than one ward in any city or town, may be assessed together in any one of such wards at the option of the assessor, or the assessment of the property may be apportioned amongst two or more of such wards in such manner as he may deem convenient, and in either case the property shall be valued as a whole or as an integral part of the whole.

Assessment of  
property ex-  
tending over  
more than one  
ward.

18b. In the case of any bridge belonging to or in possession of any person or incorporated company, which crosses any river forming the boundary between the Province of Ontario and any other country, which is liable to assessment, the part of such structure in such municipality within Ontario shall be valued as an integral part of the whole and on the basis of the valuation of the whole.

Bridges on in-  
ternational  
boundary.

3. Subsection 1 of section 58 of *The Assessment Act* is amended by striking out the words "containing a population of 30,000 or more" in the eighteenth and nineteenth lines.

Rev. Stat.  
c. 224, s. 58,  
subs. 1  
amended.

4. Subsection 2 of section 58 of *The Assessment Act* is amended by striking out the figures "31st" in the second line of said subsection, and substituting therefor the figures "15th."

Rev. Stat.  
c. 224, s. 58,  
subs. 2  
amended.

5. Section 62 of *The Assessment Act* is amended by inserting after the word "arbitrator" in the last line of the first paragraph of said section the words "or where such official

Rev. Stat.  
c. 224, s. 62  
amended.

arbitrator is a judge or junior judge of the county in which the city is situated.”

Rev. Stat.,  
c. 224, s. 110,  
subs. 1  
amended.

**6.** Sub-section 1 of section 110 of *The Assessment Act* is amended by inserting the words “current or” after the word “the” in the ninth line of the said sub section.



No. 167.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

An Act to amend The Assessment Act.

First Reading, 19th March, 1901.  
Second Reading, 22nd March, 1901.

*(Reprinted as amended in Committee  
of Whole.)*

MR. ROSS.

TORONTO:  
PRINTED BY L. K. CAMERON,  
Printer to the King's Most Excellent Majesty.

An Act to amend "An Act respecting the Licensing of Extra Provincial Corporations"

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 2 of chapter 24 of the Acts passed in the 63rd 63 V. c. 24,  
 5 year of the reign of Her late Majesty Queen Victoria, is s. 2 amended.  
 amended by adding at the end of the clause commencing with  
 the words "Class V," therein, the words "or by chapter 31 of  
 "the said statutes for 1899, intituled '*An Act respecting*  
 "*Brewers' and Distillers' and other Licenses.*'"
- 10 The amendment made by this section shall take effect as if  
 it originally formed part of the said clause.
2. Section 6 of the said Act chaptered 24 is amended by strik- 63 V. c. 24,  
 ing out of the third line of the first proviso thereof the word s. 6 amended.  
 "and" and substituting therefor the word "or."
- 15 3. Section 7 of the said act is amended by adding thereto 63 V. c. 24,  
 the following, proviso—"Provided always that no limita- s. 7 amended.  
 "tions or conditions shall be included in any such license  
 "which would limit the rights of a corporation coming within  
 "Class VII or VIII, to carry on in Ontario all such parts of its Proviso.  
 20 "business, and to exercise in Ontario all such parts of its pow-  
 "ers as by its Act or charter of incorporation it may be author-  
 "ized to carry on and exercise therein."

No. 168.

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4th Session, 9th Legislature,  
1 Edward VII, 1901.

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An Act to amend "An Act respecting the  
Licensing of Extra Provincial Corpor-  
ations."

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First Reading, 19th March, 1901.

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Mr. STRATTON.

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TORONTO:

PRINTED BY E. K. CARRON,

Printer to the King's Most Gracious Majesty.

An Act to amend The Landlord and Tenant's Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 17 of *The Landlord and Tenant's Act*, is Rev. Stat. c  
5 amended by adding at the end thereof the following words: 170 s. 17,  
“ But a lease made under *The Act respecting Short Forms* amended.  
“ of *Leases* containing the covenant to pay taxes and omitting  
“ the words ‘except for local improvements’ shall be deemed a  
“ covenant by the lessee for payment of taxes assessed for  
10 “local improvements, within the meaning of this section.”

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4th Session, 9th Legislature,  
1 Edward VII., 1901.

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BILL.

An Act to amend The Landlord and  
Tenant's Act

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First Reading, 19th March, 1901

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Mr. LECAS.

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TORONTO:

PRINTED BY J. K. CAMERON.

Printer to the King's Most Excellent Majesty.



An Act to amend the Act to provide for the better Auditing of the Public Accounts of the Province.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:—

1. *The Act to provide for the better Auditing of the Public* Rev. stat.  
5 *Accounts of the Province* is amended by adding thereto the c. 23 amended.  
following section:

4a. There shall be in the office of the Provincial Auditor, a Assistant  
chief clerk, to be styled the Assistant Auditor, who shall at all auditor.  
times act for the auditor in his absence. (See R. S. C. chap.  
10 17, sec. 14.)

No. 170.

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4th Session, 9th Legislature,  
1 Edward VII., 1901.

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BILL.

An Act to Amend the Act to provide for  
the better Auditing of the Public Ac-  
counts of the Province.

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First Reading, 20th March, 1901.

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Mr. ROSS.

TORONTO:

PRINTED BY L. K. CASHBORN,

Printer to the King's Most Excellent Majesty.

## An Act to amend The Ontario Fisheries Act, 1900.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :

**1.** This Act may be cited as *The Ontario Fisheries Act*, Short title, application of Act. 1901, and the provisions of this Act apply to the sections and sub-sections of *The Ontario Fisheries Act, 1900*, as hereinafter specified.

**2.** Section 3 is amended as follows : Sub-section 1 by striking out all words therein after "Ontario" in the third line 63 V. c. 50, s. 3, sub-s. 1, 2, amended. thereof ; and sub-section 2 by striking out all words therein after "Act" in the sixth line thereof.

**3.** Section 10 is repealed, and the following substituted therefor : 63 V. c. 50, s. 10, repealed.

15      10. The Lieutenant-Governor-in-Council may, from time to time, make regulations, and may, from time to time, vary, amend, alter or repeal all and every such regulation as may be found necessary or deemed expedient for the better management and regulation of Crown lands lease 1 under the operation of this Act, or of regulations made thereunder, and the fishing rights thereto pertaining, or for the fishing rights thereto pertaining, or for the regulation of any fishing lease or license or permit which may be made or granted by virtue of this Act or of said regulations, and to prevent the destruction of fish, and to forbid fishing in any waters within the Province, except under authority of a fishing license, and for the purpose of carrying the provisions of this Act into effect, and all regulations so made, shall have the same force and effect as if herein contained and enacted, and every offence against any such regulation may be stated as having been made in con-  
20  
25  
30

Regulations by Lieutenant-Governor-in-Council

New Brunswick Statutes, 1899, chapter 7, section 24. P.E. Island Statutes, 1899, chapter 4, section 22.

**4.** Section 12 is amended by inserting after the word "pre-63 V. c. 50, s. 12, amended. scribed" in the fourth line of the section, the words "as above limited by section 10."

63 V. c. 50, s. 13, repealed. **5.** Section 13 is repealed.

63 V. c. 50, s. 15, amended. **6.** Section 15 is amended by inserting after the word "be-  
half," in the sixth line of the said section, the words "as above  
limited by section 10."

63 V. c. 50, s. 22, amended. **7.** Section 22 is amended by inserting after the word "any," 5  
in the third line of the said section, the word "lease."

63 V. c. 50, s. 28, repealed. **8.** Section 28 is repealed, and the following substituted  
therefor :

Takingspawn,  
etc., for breed-  
ing purposes.

**28.** No fish or fish spawn shall be taken in any manner  
from Provincial waters for the purpose of stock- 10  
ing, artificial breeding, or for scientific purposes,  
without a written permit so to do signed by the  
Commissioner or Deputy Commissioner of Fisher-  
ies. Subject always to any regulations or restric-  
tions made or prescribed by or under any lawful 15  
authority in that behalf.

63 V. c. 40, s. 31, repealed. **9.** Section 34 is repealed and the following substituted  
therefor :—

Fishery  
overseers,  
powers of.

**34.** Where any lease or license so provides fishery over-  
seers shall determine and direct where nets may 20  
be set, and the distance to be maintained between  
each and every location of nets (in this section  
hereinafter called "fishery"), and shall forthwith  
remove any fishery which the owner neglects or  
refuses to remove in compliance with any such 25  
determination and direction; and such owner so  
neglecting or refusing, after forty-eight hours'  
notice, shall be moreover liable for a violation of  
this Act, and for the cost and damages of remov-  
ing such fishery; but nothing in this section shall 30  
empower the fishery overseer to authorize the set-  
ting of nets in waters other than those described  
in the license. Quebec Statutes 1899, c. 23, parag.  
1394 a.

63 V. c. 50, s. 36, amended. **10.** Section 36 is amended by adding after the word 35  
"stations" in the second line, and after the word "apparatus"  
in the third line, the words "in Provincial waters."

63 V. c. 50, s. 38, repealed. **11.** Section 38 is repealed.

63 V. c. 50, s. 44, repealed. **12.** Section 44 is repealed, and the following substituted  
therefor :

Certain fish  
not to be sold  
before 1st  
July, 1903.

**44.** No one shall sell, barter or traffic in speckled trout, 40  
bass, or maskinouge taken or caught in Provincial  
waters before the first day of July, 1903.

**13.** Section 45 is repealed, and the following substituted therefor: 63 V. c. 50, s. 45, repealed.

45. No sturgeon shall be caught, taken or killed in Provincial waters by any means whatever without a license first had and obtained from the commissioner or deputy commissioner, subject to any regulations or restrictions made or prescribed by or under any lawful authority on that behalf. Sturgeon not to be taken without license.

**14.** Section 46 is repealed, and the following substituted therefor: 63 V. c. 50, s. 46, repealed.

46. (1) Excessive or wasteful fishing, or fishing during prohibited seasons, shall also involve the cancellation of the lease covering the waters in which it has taken place, or of any license or permit, with the knowledge or participation of the lessee or licensee. Cancelling license or permit for wasteful fishing.

(2) The contravention of any regulations or restrictions made or prescribed by or under any lawful authority in that behalf in respect of limitations in the size, numbers or weight of fish taken, or in respect of the fish which shall be required to be returned to waters whence taken, shall be deemed to be an infraction of the provisions of this section. Contravention of regulations.

**15.** Sections 47, 48, 49 and 50 are repealed. 63 V. c. 50, ss. 47-50, repealed.

**16.** Sub-section 1, section 51, is amended by striking out the words "by angling" in the first line, and striking out the words "an angling" in the fourth line and inserting the words "a permit or" in place thereof. 63 V. c. 50, s. 51, sub-s. 1, amended.

(2) Enumeration (a) of subsection 2 of section 51 is amended by striking out the word "angler's" in the first line. 63 V. c. 50, s. 51, sub-s. 2, amended.

(3) Enumeration (c) of subsection 2 of section 51 is repealed.

(4) Enumeration (g) of subsection 2 of section 51 is amended by striking out the word "angle" in the second line and inserting the word "fish" in place thereof.

**17.** Whoever shall fish in Provincial waters without a permit, lease or license, wherein fishing is prohibited, except by lease or license, shall for each offence be liable to the penalty provided by section 53 of this Act and costs; and in default of payment of such fines and costs, shall be imprisoned for a period not exceeding three months. Penalty for fishing without a license, etc.

**18.** Section 41 is repealed and the following substituted therefor as follows: 63 V. c. 50, s. 41, repealed.

41. All fish companies and fish dealers purchasing fish taken in Provincial waters, shall keep a record in Record to be kept by fish companies, etc.

form approved by the department of the different kinds and quantities of fish taken or caught in provincial waters and purchased by him or them respectively, with the date, name and address of the person from whom purchased, such book to be 5 open for the inspection of the overseer at all reasonable times; and a monthly abstract from such book shall be forwarded by the said fish companies or fish dealer or dealers to the department, such abstract to be forwarded on or before 10 the fifth day of each month and to cover the record of the preceding calendar month.



No. 171.

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4th Session, 9th Legislature,  
1 Edward VII, 1901.

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BILL.

An Act to amend The Ontario Fisheries Act  
1900.

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First Reading, March 21st, 1901

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Mr. LATCHFORD.

PRINTED BY

TRUSTED BY L. R. CAMERON,

Printer to the King's Most Excellent Majesty.



## An Act to amend The Ontario Fisheries Act, 1900.

**HIS MAJESTY**, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Ontario Fisheries Act, 1901*, and the provisions of this Act apply to the sections and sub sections of *The Ontario Fisheries Act, 1900*, as hereinafter specified. Short title, application of Act.

**2.** Section 3 is amended as follows: Sub-section 1 by striking out all words therein after "Ontario" in the third line thereof: and sub-section 2 by striking out all words therein after "Act" in the sixth line thereof. 63 V. c. 50, s. 3, subs. 1, 2, amended.

**3.** Section 10 is repealed, and the following substituted therefor: 63 V. c. 50, s. 10, repealed.

10. The Lieutenant-Governor-in-Council may, from time to time, make regulations, and may, from time to time, vary, amend, alter or repeal all and every such regulation as may be found necessary or deemed expedient for the better management and regulation of Crown lands leased under the operation of this Act, or of regulations made thereunder, and the fishing rights thereto pertaining, or for the regulation of any fishing lease or license or permit which may be made or granted by virtue of this Act or of said regulations, and to prevent the destruction of fish, and to forbid fishing in any waters within the Province, except under authority of a fishing license, and for the purpose of carrying the provisions of this Act into effect, and all regulations so made, shall have the same force and effect as if herein contained and enacted, and every offence against any such regulation may be stated as having been made in contravention of this Act. Regulations by Lieutenant-Governor-in-Council  
New Brunswick, 1899, c. 7, s. 24; P.E.I., 1899, c. 4, s. 22.

**4.** Section 12 is amended by inserting after the word "prescribed" in the fourth line of the section, the words "as above limited by section 10." 63 V. c. 50, s. 12, amended.

63 V. c. 50, s. 13, repealed. **5.** Section 13 is repealed, and the following is substituted therefor :

Penalty for fishing without a license, etc.

13. Whoever shall fish in Provincial waters without a permit, lease or license, wherein fishing is prohibited, except by lease or license, shall for each offence be liable to the penalty provided by section 53 of this Act and costs: and in default of payment of such fines and costs, shall be imprisoned for a period not exceeding three months.

63 V. c. 50, s. 15, amended. **6.** Section 15 is amended by inserting after the word "behalf," in the sixth line of the said section, the words "as above limited by section 10."

63 V. c. 50, s. 22, amended. **7.** Section 22 is amended by inserting after the word "any," in the third line of the said section, the word "lease."

63 V. c. 50, s. 28, repealed. **8.** Section 28 is repealed, and the following substituted therefor :

Takingspawn, etc., for breeding purposes.

28. No fish or fish spawn shall be taken in any manner from Provincial waters for the purpose of stocking, artificial breeding, or for scientific purposes, without a written permit so to do signed by the Commissioner or Deputy Commissioner of Fisheries. Subject always to any regulations or restrictions made or prescribed by or under any lawful authority in that behalf.

61 V. c. 40, s. 31, repealed. **9.** Section 34 is repealed and the following substituted therefor:—

Fishery overseers, powers of.

34. Where any lease or license so provides fishery overseers shall determine and direct where nets may be set, and the distance to be maintained between each and every location of nets (in this section hereinafter called "fishery"), and shall forthwith remove any fishery which the owner neglects or refuses to remove in compliance with any such determination and direction; and such owner so neglecting or refusing, after forty-eight hours' notice, shall be moreover liable for a violation of this Act, and for the cost and damages of removing such fishery; but nothing in this section shall empower the fishery overseer to authorize the setting of nets in waters other than those described in the license. Quebec Statutes 1899, c. 23, parag. 1394 a.

61 V. c. 50, s. 36, amended. **10.** Section 36 is amended by adding after the word "stations" in the second line, and after the word "apparatus" in the third line, the words "in Provincial waters."

63 V. c. 50, s. 38, repealed. **11.** Section 38 is repealed.

**12.** Section 41 is repealed and the following substituted therefor as follows: 63 V. c. 50, s. 41, repealed.

41. All fish companies and fish dealers purchasing fish taken in Provincial waters, shall keep a record in the form approved by the department of the different kinds and quantities of fish taken or caught in provincial waters and purchased by him or them respectively, with the date, name and address of the person from whom purchased, such book to be open for the inspection of the overseer at all reasonable times; and a monthly abstract from such book shall be forwarded by the said fish companies or fish dealer or dealers to the department, such abstract to be forwarded on or before the fifth day of each month and to cover the record of the preceding calendar month. Record to be kept by fish companies, etc.

**13.** Section 44 is repealed, and the following substituted therefor: 63 V. c. 50, s. 44, repealed.

44. No one shall sell, barter or traffic in speckled trout, bass, or maskinonge taken or caught in Provincial waters before the first day of July, 1903. Certain fish not to be sold before 1st July, 1903.

**14.** Section 45 is repealed, and the following substituted therefor: 63 V. c. 50, s. 45, repealed.

45. No sturgeon shall be caught, taken or killed in Provincial waters by any means whatever without a license first had and obtained from the commissioner or deputy commissioner, subject to any regulations or restrictions made or prescribed by or under any lawful authority on that behalf. Sturgeon not to be taken without license.

**15.** Section 46 is repealed, and the following substituted therefor: 63 V. c. 50, s. 46, repealed.

46. (1) Excessive or wasteful fishing, or fishing during prohibited seasons, shall also involve the cancellation of the lease covering the waters in which it has taken place, or of any license or permit, with the knowledge or participation of the lessee or licensee. Cancelling license or permit for wasteful fishing.

(2) The contravention of any regulations or restrictions made or prescribed by or under any lawful authority in that behalf in respect of limitations in the size, numbers or weight of fish taken, or in respect of the fish which shall be required to be returned to waters whence taken, shall be deemed to be an infraction of the provisions of this section. Contravention of regulations.

**16.** Sections 47, 48, 49 and 50 are repealed. 63 V. c. 50, ss. 47-50, repealed

63 V. c. 50, s. 51, sub-s. 1, amended. <sup>58</sup> **17.** Sub-section 1, section 51, is amended by striking out the words "by angling" in the first line, and striking out the words "an angling" in the fourth line and inserting the words "a permit or" in place thereof.

63 V. c. 50, s. 51, sub-s. 2, amended. (2) Enumeration (a) of subsection 2 of section 51 is amended by striking out the word "angler's" in the first line.

(3) Enumeration (c) of subsection 2 of section 51 is repealed.

(4) Enumeration (g) of subsection 2 of section 51 is amended by striking out the word "angle" in the second line and inserting the word "fish" in place thereof.



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No. 171.

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4th Session, 9th Legislature,  
1 Edward VII., 1901.

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BILL.

An Act to amend The Ontario Fisheries Act  
1900.

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First Reading, March 21st, 1901.  
Second Reading, March 28th, 1901.

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*(Reprinted as amended in Committee of  
the Whole House).*

Mr. LATCHFORD.

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TORONTO:

PRINTED BY I. K. CASPERN,  
Printer to the King's Most Excellent Majesty.

## An Act to amend The Surrogate Courts Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 69 of *The Surrogate Courts Act* is amended by Rev. Stat. c. 59, s. 69, amended.  
5 inserting after the word "of" in the second line thereof the following words, "probate of a will or."

2. The said section 69 is further amended by adding thereto Rev. Stat. c. 59, s. 69, amended.  
the following:—

" Provided, however, that a bond shall not be required when When security not to be required.  
10 "there are no infant beneficiaries entitled or to be entitled,  
"nor where the testator shall by his will so direct, but the  
"Judge of the Surrogate Court from which the grant is made  
"may at any time upon application made on motion or peti-  
"tion in a summary way by any person interested require a  
15 "bond to be given if he is of the opinion that it is made  
"requisite by a change in the situation or circumstances of the  
"executor or trustee or by other sufficient cause, and in default  
"of his giving the same he may be removed."

No. 172.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

An Act to amend The Surrogate Courts Act.

First Reading, 21st March, 1901.

Mr. PARDEE.

TORONTO:

PRINTED BY L. R. CARRISON.

Printer to the King's Most Excellent Majesty.



## An Act to amend The Registry Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. *The Registry Act* is amended by adding thereto the following section:—

Rev. Stat. c.  
136 amended.

(13)*a*. The inspector may in writing authorize the registrar, under the direction of an architect to be named by the inspector, to expend in providing fire-proof or metal fittings for the vault of the registry office or in providing for the proper heating and ventilation of the vault so much as may be deemed by the inspector to be necessary of the proportion of the fees to which the county or city may then or thereafter be entitled under sections 129 and 130 hereof, and the amount so expended, including the architect's charge, shall be certified by the architect, and his certificate or a duplicate thereof shall be transmitted by the registrar to the treasurer of the county or city, and shall be a discharge to the registrar in the premises to the amount so certified, as against the proportion of the fees then payable or to become thereafter payable as aforesaid.

Registrar to provide for vaults etc., when directed by inspector.

2. Section 111 of *The Registry Act* is amended by adding thereto the following sub-section:

Rev. Stat. c.  
136 s. 111  
amended.

(6) Where the land proposed to be subdivided by plan under the preceding sub-section comprises a block or tract of land containing \_\_\_\_\_ acres or upwards, and where such block or tract of land was granted by the Crown without being subdivided into lots, the inspector may cause the Attorney-General to be notified of the application under the preceding sub-section, and the Attorney-General, on behalf of the Crown, may either submit that the Crown shall pay or contribute such proportion of the costs and expenses in the preceding sub-section mentioned as the judge may determine under all circumstances to be reasonable, or the Attorney-General may consent, on behalf of the Crown, that the Crown shall pay and contribute a definite proportion of such costs and expenses, such proportion to be fixed by the Attorney-General, and it shall in either of such cases be lawful for the judge by his order to direct by what person, corporation or municipality

Contribution by Crown to sub-dividing and surveying blocks.

the remainder of such costs and expenses shall be borne, and any such order may be entered and filed and may be enforced as against such person, corporation or municipality in respect of the said remainder of such costs and expenses in the same manner as the order provided for in the next preceding subsection.



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4th Session, 9th Legislature,  
1 Edward VII., 1901.

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## BILL

An Act to amend The Registry Act.

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First Reading 1901.

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MR. GIBSON.

TORONTO :

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

## An Act to amend the Statute Law.

**HIS MAJESTY**, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :—

1. Clause 5 of section 8 of *The Interpretation Act* is repealed, and the following substituted therefor :—

Rev. Stat. c. 1, s. 8 (5), repealed.

(5) The words " His Majesty," " Her Majesty," " The King," " The Queen " or " The Crown," shall mean the Sovereign of the United Kingdom of Great Britain and Ireland for the time being.

His Majesty, etc., application of.

2. *The Act respecting the Territorial Division of Ontario for municipal and judicial purposes* is amended as regards the Provisional Judicial Districts of Algoma and Thunder Bay by providing that the limit between the two districts shall be the meridian of eighty-five degrees twenty minutes west longitude instead of the meridian of eighty-five degrees west longitude. This section shall not change the existing boundaries of the electoral districts of Algoma East and Algoma West.

Boundary line between Algoma and Thunder Bay, Rev. Stat. c. 3.

3. Section 1. of *The Manhood Suffrage Registration Act* is amended by adding at the end thereof the following words " the town of Sault Sainte Marie and the town of Desoronto."

Rev. Stat. c. 8, s. 1.

4. Section 8 of the said last mentioned Act is amended by adding thereto the following subsections :

Rev. Stat. c. 8 s. 8.

(9) In Desoronto the ex-officio members of the Board of Registrars shall be the Police Magistrate of the said town, the clerk of the municipal council of the said town and the clerk of the Division Court of the district in which the town is situated; and they shall have the same power and authority as the Board of Registrars of a county town.

(10) In Sault Sainte Marie the ex-officio members of the Board of Registrars shall be the district judge of the Provincial Judicial District of Algoma, the clerk of the District Court of the said Provisional Judicial District and the Local Master of Titles of the said district, and they shall have the same power and authority as the Board of Registrars of a county town.

Rev. Stat.,  
c. 3, s. 61,  
amended.

5.—(1) Subsection 1 of section 61 of *The Ontario Elections Act* is amended by striking out all the polling places named in the said subsection as the places at which polls shall be opened and held in unorganized territory, and substituting the following: Beaver Mills, Township of Atwood; Little Turtle Lake; Beaudro's Fishery, Lake of the Woods; Maniton Lake; Tierner's Corners, Barwick; Mikado Mine; School House, No. 1, Crozier, Mine Centre; School House, No. 1, Dylke; School House, No. 1, Morley; School House, No. 1, Devlin; Oxdrift, Township of Wainwright; Dryden, Township of Wainwright; 10 Regina Mine; Emo, Township of Lash; Sturgeon Falls; Fort Francis; Sultana Mine; Hawk Lake; Vermillion Bay; Ignace, Wabigoon; Keewatin; School House, No. 1, Township of Woodyatt.

(2) Subsection 2 of the said section is amended by striking 15 out "Michael's Bay" in the list of polling places named for municipalities, and by adding to the said list "Bidwell School House."

(3) Section 34 of the Act to amend the *Ontario Election Act* passed in the 63rd year of the reign of Her Late Majesty, 20 and chaptered 4, is amended by striking out "Gavel Beach" therein named and substituting therefor "Gravel Beach."

Rev. Stat.,  
c. 51, s. 154,  
amended.

6. Section 154 of *The Judicature Act* is amended by adding thereto the words "at non-jury as well as at jury sittings." (See Con. Rule 38.) 25

Rev. Stat.,  
c. 57, s. 2,  
amended.

7. Section 2 of the Act respecting County Judges' Criminal Courts, chapter 57 of the Revised Statutes, is amended by inserting the word "Court" after the words "The County" in the second line of the said section. See Criminal Code 1892, section 764. 30

Rev. Stat.,  
c. 59,  
schedule  
amended

8. *The Surrogate Courts Act* is amended by striking out so much of Schedule "A" of the said Act as follows the heading "on proceedings in the office of the Surrogate Clerk" and substituting therefor the following as the fees to be taken for proceedings in the office of the Surrogate Clerk, and the said 35 fees shall be payable notwithstanding anything contained in section 76 of the said Act, or in section 155 of *The Ontario Insurance Act*:—

Fees payable  
in Surrogate  
Clerk's office.

- a. On every search for grant of probate, administration, guardianship, or other matter in Clerk's office 40  
(other than searches on application of Registrars)  
.....\$0 50
- b. On every certificate of search or extract..... 1 00  
(If exceeding three folios, 10 cents for each additional folio.) 45

- c. On every certificate respecting other application or caveat, when necessary search does not extend beyond three years..... 0 50  
 5 When the necessary search extends beyond three years, 10 cents additional for every year beyond three years.
- d. On every certificate, when the whole estate does not exceed in value \$400; or when the estate consists of insurance money only, not exceeding \$400... 0 30
- 10 e. On every other certificate issued by the Surrogate Clerk ..... 0 50
- f. On every order made on application to a Judge in the High Court and transmission of same, exclusive of postage ..... 0 80
- 15 g. On entry of every appeal ..... 1 00
- h. On every judgment on appeal and transmission, exclusive of postage..... 3 00
- i. On entry of caveat ..... 0 50
- j. On every judgment or order on appeal..... 2 50
- 20 **9.** Subsection 1 of section 1 of *The Act respecting the Limitation of Certain Actions* is amended by inserting in clause (g) of the said subsection after the words "given to" in the second line of the said clause, the words "the Crown or." Rev. Stat. c. 72, s. 1 (c), amended.
- 25 **10.** Subsection 3 of *The Act to provide for Security for Costs in Certain Actions against Justices of the Peace and Others* is amended by adding thereto the following words: "The order may provide that unless security is furnished within such time as may be specified therein the action is to be dismissed." This amendment shall apply to pending as  
 30 well as future actions.
- 11.** Section 3 of *The Act respecting Appeals to the Court of Appeal on Prosecutions to Enforce Penalties and Punish Offenders under Provincial Acts* is amended by adding thereto the following subsection:—
- 35 (3) An appeal to the Court of Appeal shall also lie from a judgment or decision of any Court of general sessions of the peace allowing or dismissing an appeal thereto under the *Ontario Summary Convictions Act* and without giving any security on the appeal to the Court of Appeal. Provided that  
 40 the Attorney General for Ontario certifies his opinion that the judgment or decision involves a question of law of sufficient importance to justify the case being appealed. Rev. Stat. c. 91, s. 3, amended.
- 12.** Section 2 of *The Act respecting the Appropriation of Certain Fines and Forfeitures* is hereby amended by striking Rev. Stat. c. 107, s. 2, amended.

out in the sixth line thereof the word "no" and substituting therefor the words "except so far as."

Rev. Stat.  
c. 153, s. 40,  
amended.

**13.** Section 40 of *The Mechanics' and Wage-Earners' Lien Act* is amended by adding thereto the following subsection:—

2 When the proceedings are commenced in the office of a Local Master and Deputy Registrar who is paid by fees such amount shall be payable in cash to such Local Master and Deputy Registrar instead of in stamps. 5

Rev. Stat.  
c. 157.

**14.** *The Act respecting Master and Servant* is amended by adding thereto the following section: 10

5a. In case any person enters into an agreement under which he receives as an advance of wages, money, food, lodging or railway or steamboat tickets to enable him to reach any place at which he has engaged to perform labor, work or other services, if such person thereafter without the consent of his employer, leaves his employment before the money or cost of such food, lodging or transportation has been repaid, he shall on proof thereof before a justice of the peace be liable on summary conviction to a penalty not exceeding \$25, and in default of payment of such penalty to imprisonment in the common gaol of the county or district for a period not exceeding thirty days, as the justice may direct. 20

Rev. Stat.  
c. 174, s. 54,  
amended.

**15.** Section 54 of *The Act respecting Solicitors* is amended by adding thereto the following subsections:—

(6) A solicitor or counsel whose remuneration is paid wholly or partly by salary, annual or otherwise, shall, notwithstanding have the right to recover and collect lawful costs in all actions and proceedings in the same manner as if such solicitor or counsel were not receiving a salary where the costs are payable to the solicitor or counsel as part of his remuneration in addition to his salary. 25 30

Rev. Stat.  
c. 181, s. 39,  
amended.

**16.** Section 39 of *The Surveys Act*, chapter 181 of the Revised Statutes 1897, is amended by adding thereto the following subsection:—

(9) To remove doubts it is hereby enacted and declared that it is not and was not the intention of this section to affect any theretofore existing liability as to maintaining and repairing roads, streets or bridges and such liability and all rights and remedies for the enforcement of the same are continued as they existed prior to the year 1886 as regards all persons in the case of all roads, streets or bridges until the same are assumed for public use by the municipal corporation interested. 35 40

Rev. Stat.  
c. 197,  
amended.

**17.** The following section is added to *The Ontario Mining Companies Incorporation Act* as section 14 thereof:—

Actions on  
foreign judgments respect-

14. In any action hereafter brought in Ontario against a British subject on a judgment, decree or order obtained in any 45



foreign country respecting or arising out of mines or mining companies or transactions or matters or persons connected therewith, or bringing in question matters relating thereto, whether the service of the writ, notice or claim on the defendant or party sued has been personal or not, any defence that might have been set up to the original action, or which might have been set up if the original action had been brought in Ontario, may be set up and made to the action on the judgment, decree or order.

10 **18.** Section 120 of *The Loan Corporations Act* (as amended by section 13 of an Act passed in the sixty-third year of Her late Majesty and chaptered 27) is amended by adding at end thereof the following words:—

ing mining matters in Ontario.

R. S. O. c. 205, s. 120, amended.

15 “Provided also that, where a corporation proves to the satisfaction of the registrar that it is discontinuing business in the Province and has given such public notice of intended discontinuance as shall be required, the fee for registry (or renewal of registry as the case may be) may, on the certificate of the registrar in writing, be commuted to one-fourth of the fee hereinbefore prescribed: but registry at such commuted fee shall not be granted for more than four years in all.”

“Proviso.”

20 **19.** Section 562 of *The Municipal Act* is hereby amended by inserting, immediately after sub-section 1 thereof, the following:—

Rev. Stat. c. 223, s. 562.

25 1 (a) For purchasing or otherwise acquiring and taking a conveyance from any company incorporated under the laws of this province, or the late Province of Canada, of any harbour within the municipality, or within any adjacent municipality, in the same county, and for selling and conveying such harbour to any purchaser thereof.

30 **20.** Sub-section 7 of section 7 of *The Act to prevent the Profanation of the Lord's Day* is amended by striking out the words “under this section” in the last line thereof, and substituting therefor the words “under section 10 of this Act.”

Rev. Stat. c. 246, s. 7, amended.

**21.** Section 8 of *The Line Fences Act* is amended by inserting after the word “given” in the fifth line thereof the words “by the clerk of the municipality with whom the same has been deposited.”

Rev. Stat. c. 284, s. 8, amended.

40 **22.** Sub-section 6 of section 22 of *The Ditches and Water Courses Act* is amended by adding thereto the following:—

Rev. Stat., c. 285, s. 22, amended.

45 “Or within such further period as the Judge or hearing the parties may decide to be necessary in order to allow proper inspection of the premises to be made as authorized by the next following sub-section.

Rev. Stat.,  
c. 290, s. 7,  
amended.

23. Section 7 of *The Act to encourage the Destruction of Wolves* is amended by adding after the word "sheriff" in the fifth line of the said section the words "notary public"

Rev. Stat.  
c. 317, s. 58,  
repealed.

24. Section 58 of chapter 317 of the Revised Statutes of Ontario 1897 is repealed and the following substituted therefor:—

Inspector  
acting as  
committee to  
account.

58. The Inspector shall be liable to render an account as to the manner in which he has managed the property and effects of the lunatic, in the same way and subject to the same responsibilities as any trustee, guardian or committee duly appointed for a similar purpose may be called upon to account, and shall be entitled from time to time to bring in and pass his accounts and tax costs before the High Court of Justice, but he shall only be liable for wilful misconduct. R. S. O. 1887, c. 245, s. 58. 10 15

63 Vic. c. 80,  
s. 5, amended.

25. Section 5 of the Act passed in the 63rd year of Her late Majesty's reign chaptered 30 being an *Act Respecting Aid by Land Grant to the Algoma Central Railway Company* is amended by adding thereto the following:

"Provided, however, that, the rights of the crown in dealing with such claims shall remain the same as if this Act had not been passed."



No. 174.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

An Act to amend the Statute Law.

First Reading, 21st March, 1901.

The ATTORNEY-GENERAL.

TORONTO:

PRINTED BY L. K. CAMERON,  
Printer to the King's Most Excellent Majesty.

## An Act to amend the Statute Law.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Clause 5 of section 8 of *The Interpretation Act* is repealed, and the following substituted therefor:—

Rev. Stat. c. 1, s. 8 (5), repealed.

(5) The words "His Majesty," "Her Majesty," "The King," "The Queen" or "The Crown," shall mean the Sovereign of the United Kingdom of Great Britain and Ireland for the time being.

His Majesty, etc., application of.

2. *The Act respecting the Territorial Division of Ontario for municipal and judicial purposes* is amended as regards the Provisional Judicial Districts of Algoma and Thunder Bay by providing that the limit between the two districts shall be the meridian of eighty-five degrees twenty minutes west longitude instead of the meridian of eighty-five degrees west longitude. This section shall not change the existing boundaries of the electoral districts of Algoma East and Algoma West.

Boundary line between Algoma and Thunder Bay. Rev. Stat. c. 3.

3. Section 1. of *The Municipal Suffrage Registration Act* is amended by adding at the end thereof the following words "the town of Sault Sainte Marie and the town of Desoronto."

Rev. Stat. c. 8, s. 1.

4. Section 8 of the said last mentioned Act is amended by adding thereto the following subsections:

Rev. Stat. c. 8, s. 8.

(9) In Desoronto the ex-officio members of the Board of Registrars shall be the Police Magistrate of the said town, the clerk of the municipal council of the said town and the clerk of the Division Court of the district in which the town is situated; and they shall have the same power and authority as the Board of Registrars of a county town.

Board of Registrars in Desoronto.

(10) In Sault Sainte Marie the ex-officio members of the Board of Registrars shall be the district judge of the Provincial Judicial District of Algoma, the clerk of the District Court of the said Provisional Judicial District and the Local Master of Titles of the said district, and they shall have the same power and authority as the Board of Registrars of a county town.

In Sault Ste. Marie.

Rev. Stat.,  
c. 5, s. 61,  
amended.

5.—(1) Subsection 1 of section 61 of *The Ontario Elections Act* is amended by striking out all the polling places named in the said subsection as the places at which polls shall be opened and held in unorganized territory, and substituting the following: Beaver Mills, Township of Atwood; Little Turtle Lake; Beaudro's Fishery, Lake of the Woods; Manitou Lake; Tierner's Corners, Barwick; Mikado Mine; School House, No. 1, Crozier, Mine Centre; School House, No. 1, Dylke; School House, No. 1, Morley; School House, No. 1, Devlin; Oxdrift, Township of Wainwright; Dryden, Township of Wainwright; Regina Mine; Emo, Township of Lash; Sturgeon Falls; Fort Francis; Sultana Mine; Hawk Lake; Vermillion Bay; Ignace, Wabigoon; Keewatin; School House, No. 1, Township of Woodyatt.

Polling places  
in Algoma.

(2) Subsection 2 of the said section is amended by striking out "Michael's Bay" in the list of polling places named for municipalities, and by adding to the said list "Bidwell School House."

(3) Section 34 of the Act to amend the *Ontario Election Act* passed in the 63rd year of the reign of Her Late Majesty, and chapter 4, is amended by striking out "Gavel Beach" therein named and substituting therefor "Gravel Beach."

Rev. Stat.,  
c. 51, s. 154,  
amended.

6. Section 154 of *The Judicature Act* is amended by adding thereto the words "at non-jury as well as at jury sittings." (See Con. Rule 38.)

Rev. Stat.,  
c. 57, s. 2  
amended.

7. Section 2 of the Act respecting County Judges' Criminal Courts, chapter 57 of the Revised Statutes, is amended by inserting the word "Court" after the words "The County" in the second line of the said section. See Criminal Code 1892, section 764.

Rev. Stat.,  
c. 59,  
schedule  
amended

8. *The Surrogate Courts Act* is amended by striking out so much of Schedule "A" of the said Act as follows the heading "on proceedings in the office of the Surrogate Clerk" and substituting therefor the following as the fees to be taken for proceedings in the office of the Surrogate Clerk, and the said fees shall be payable notwithstanding anything contained in section 76 of the said Act, or in section 155 of *The Ontario Insurance Act*:—

Fees payable  
in Surrogate  
Clerk's office.

- a. On every search for grant of probate, administration guardianship, or other matter in Clerk's office (other than searches on application of Registrars) ..... \$0 50
- b. On every certificate of search or extract ..... 1 00  
(If exceeding three folios, 10 cents for each additional folio.)

- c. On every certificate respecting other application or caveat, when necessary search does not extend beyond three years . . . . . 0 50  
 When the necessary search extends beyond three years, 10 cents additional for every year beyond three years.
- d. On every certificate, when the whole estate does not exceed in value \$400; or when the estate consists of insurance money only, not exceeding \$400. . . . . 0 30
- e. On every other certificate issued by the Surrogate Clerk . . . . . 0 50
- f. On every order made on application to a Judge in the High Court and transmission of same, exclusive of postage. . . . . 0 80
- g. On entry of every appeal . . . . . 1 00
- h. On every judgment on appeal and transmission, exclusive of postage. . . . . 3 00
- i. On entry of caveat . . . . . 0 50
- j. On every judgment or order on appeal. . . . . 2 50

**9.** Subsection 1 of section 1 of *The Act respecting the Limitation of Certain Actions* is amended by inserting in clause (g) of the said subsection after the words "given to" in the second line of the said clause, the words "the Crown or." Rev. Stat. c. 72, s. 1 (g), amended.

**10.** Subsection 3 of *The Act to provide for Security for Costs in Certain Actions against Justices of the Peace and Others* is amended by adding thereto the following words: "The order may provide that unless security is furnished within such time as may be specified therein the action is to be dismissed." This amendment shall apply to pending as well as future actions. Rev. Stat. c. 89, s. 1, amended.

**11.** Section 3 of *The Act respecting Appeals to the Court of Appeal on Prosecutions to Enforce Penalties and Punish Offenders under Provincial Acts* is amended by adding thereto the following subsection:— Rev. Stat. c. 91, s. 3, amended.

(3) An appeal to the Court of Appeal shall also lie from a judgment or decision of any Court of general sessions of the peace allowing or dismissing an appeal thereto under the *Ontario Summary Convictions Act* and without giving any security on the appeal to the Court of Appeal. Provided that the Attorney General for Ontario certifies his opinion that the judgment or decision involves a question of law of sufficient importance to justify the case being appealed. Appeals to Court of Appeal from general sessions.

**12.** Section 2 of *The Act respecting the Appropriation of Certain Fines and Forfeitures* is hereby amended by striking Rev. Stat. c. 107, s. 2, amended.

out in the sixth line thereof the word "no" and substituting therefor the words "except so far as."

Rev. Stat.  
c. 153, s. 40,  
amended.

**13.** Section 40 of *The Mechanics' and Wage-Earners' Lien Act* is amended by adding thereto the following subsection:—

2. When the proceedings are commenced in the office of a Local Master and Deputy Registrar who is paid by fees such amount shall be payable in cash to such Local Master and Deputy Registrar instead of in stamps.

Rev. Stat.  
c. 157.

**14.** *The Act respecting Master and Servant* is amended by adding thereto the following section:—

Penalty for  
workman  
leaving em-  
ployment be-  
fore repaying  
advances.

5a. In case any person enters into an agreement under which he receives as an advance of wages, money, food, lodging or railway or steamboat tickets to enable him to reach any place at which he has engaged to perform labor, work or other services, if such person thereafter without the consent of his employer, leaves his employment before the money or cost of such food, lodging or transportation has been repaid, he shall on proof thereof before a justice of the peace be liable on summary conviction to a penalty not exceeding \$25, and in default of payment of such penalty to imprisonment in the common gaol of the county or district for a period not exceeding thirty days, as the justice may direct.

Rev. Stat.  
c. 174, s. 54,  
amended.

**15.** Section 54 of *The Act respecting Solicitors* is amended by adding thereto the following subsections:—

Collection of  
costs by  
salaried  
solicitor.

(6) A solicitor or counsel whose remuneration is paid wholly or partly by salary, annual or otherwise, shall, notwithstanding have the right to recover and collect lawful costs in all actions and proceedings in the same manner as if such solicitor or counsel were not receiving a salary where the costs are payable to the solicitor or counsel as part of his remuneration in addition to his salary.

Rev. Stat.  
c. 181, s. 39,  
amended.

**16.** Section 39 of *The Surveys Act*, chapter 181 of the Revised Statutes 1897, is amended by adding thereto the following subsection:—

Not to affect  
liability for  
maintenance  
and repairs  
of roads, etc.

(9) To remove doubts it is hereby enacted and declared that it is not and was not the intention of this section to affect any theretofore existing liability as to maintaining and repairing roads, streets or bridges and such liability and all rights and remedies for the enforcement of the same are continued as they existed prior to the year 1886 as regards all persons in the case of all roads, streets or bridges until the same are assumed for public use by the municipal corporation interested.

Rev. Stat  
c. 197,  
amended

**17.** The following section is added to *The Ontario Mining Companies Incorporation Act* as section 14 thereof:—

Actions on  
foreign judg-  
ments respect-

14. In any action hereafter brought in Ontario against a British subject on a judgment, decree or order obtained in any



foreign country respecting or arising out of mines or mining companies or transactions or matters or persons connected therewith, or bringing in question matters relating thereto, whether the service of the writ, notice or claim on the defendant or party sued has been personal or not, any defence that might have been set up to the original action, or which might have been set up if the original action had been brought in Ontario, may be set up and made to the action on the judgment, decree or order.

**18.** Section 120 of *The Loan Corporations Act* (as amended by section 13 of an Act passed in the sixty-third year of Her late Majesty and chaptered 27) is amended by adding at end thereof the following words:—

“Provided also that, where a corporation proves to the satisfaction of the registrar that it is discontinuing business in the Province and has given such public notice of intended discontinuance as shall be required, the fee for registry (or renewal of registry as the case may be) may, on the certificate of the registrar in writing, be commuted to one-fourth of the fee hereinbefore prescribed; but registry at such commuted fee shall not be granted for more than four years in all.”

**19.** Section 562 of *The Municipal Act* is hereby amended by inserting, immediately after sub-section 1 thereof, the following:—

1 (a) For purchasing or otherwise acquiring and taking a conveyance from any company incorporated under the laws of this province, or the late Province of Canada, of any harbour within the municipality, or within any adjacent municipality, in the same county, and for selling and conveying such harbour to any purchaser thereof.

**20.** Sub-section 7 of section 7 of *The Act to prevent the Profanation of the Lord's Day* is amended by striking out the words “under this section” in the last line thereof, and substituting therefor the words “under section 10 of this Act.”

**21.** Section 8 of *The Lint Fences Act* is amended by inserting after the word “given” in the fifth line thereof the words “by the clerk of the municipality with whom the same has been deposited.”

**22.** Sub-section 6 of section 22 of *The Ditches and Water Courses Act* is amended by adding thereto the following:—

“Or within such further period as the Judge on hearing the parties may decide to be necessary in order to allow proper inspection of the premises to be made as authorized by the next following sub-section.

ing mining matters in Ontario.

Rev. Stat. c. 265, s. 120, amended.

“Proviso.”

Rev. Stat. c. 223, s. 562.

Rev. Stat. c. 246, s. 7, amended.

Rev. Stat. c. 281, s. 8, amended.

Rev. Stat. c. 285, s. 22, amended.

Rev. Stat.,  
c. 290, s. 7,  
amended.

**23.** Section 7 of *The Act to encourage the Destruction of Wolves* is amended by adding after the word "sheriff" in the fifth line of the said section the words "notary public."

Rev. Stat.  
c. 317, s. 58,  
repealed.

**24.** Section 58 of chapter 317 of the Revised Statutes of Ontario 1897 is repealed and the following substituted therefor:—

Inspector  
acting as  
committee to  
account.

58. The Inspector shall be liable to render an account as to the manner in which he has managed the property and effects of the lunatic, in the same way and subject to the same responsibilities as any trustee, guardian or committee duly appointed for a similar purpose may be called upon to account, and shall be entitled from time to time to bring in and pass his accounts and tax costs before the High Court of Justice, but he shall only be liable for wilful misconduct. R. S. O. 1887, c. 245, s. 58.

63 Vic. c. 30,  
s. 5, amended.

**25.** Section 5 of the Act passed in the 63rd year of Her late Majesty's reign chaptered 30 being an *Act Respecting Aid by Land Grant to the Algoma Central Railway Company* is amended by adding thereto the following:

"Provided, however, that, the rights of the crown in dealing with such claims shall remain the same as if this Act had not been passed."

Rev. Stat. c.  
170, s. 17,  
amended.

**26.** Section 12 (a) of *The Liquor License Act* is hereby amended by striking out the words "in any city" in the first and second lines thereof, and by inserting the word "wholesale" between the words "a" and "tavern" in the first line thereof.

Rev. Stat.  
c. 170, s. 17,  
amended.

**27.** Section 17 of *The Landlord and Tenant's Act* is amended by adding at the end thereof the following words: "But a lease for a term not less than seven years made under *The Act respecting Short Forms of Leases* containing the covenant on the part of the lessee to pay taxes and omitting the words 'except for local improvements' and inserting the words 'including local improvement taxes,' shall be deemed a covenant by the lessee for payment of taxes assessed for local improvements, within the meaning of this section."

Payment of  
local improve-  
ment taxes.

Consumption  
hospitals—  
where not to  
be established.

**28.** No sanatorium institution or place for the reception care or treatment of persons suffering from consumption or tuberculosis, shall hereafter be established, maintained or kept within 150 yards of an inhabited dwelling, without the owner, manager or persons to whom the same belongs having first obtained the consent by resolution given in writing of the local board of health of the municipality wherein it is proposed to establish the same.

**§ 29.** Any person who shall contrary to the provisions of the preceding section, establish, maintain or keep any such sanatorium, institution or place, or who shall take part in the superintendence or management thereof, after notice in writing by the local board of health, through an officer thereof of the municipality to desist from so doing, shall be liable to a penalty not exceeding \$25 for each and every day on which after notice in writing, the offence is continued. Penalty.

**§ 30.** Sub-section (1) of sec. (7) of *The Mechanics and Wages Act* is hereby amended by adding at the end of the said section the following words: "Provided and it is hereby declared that nothing in this Act contained shall extend or be construed to extend to any public street or highway, or to any work or improvement done or caused to be done by a municipality." Rev. Stat. c. 157, s. 7, subs. 1, amended.

No. 174.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

An Act to amend the Statute Law.

First Reading, 21st March, 1901.  
Second Reading, 2nd April, 1901.

*(Reprinted as amended in Committee of  
the Whole)*

THE ATTORNEY-GENERAL.

TORONTO:

PRINTED BY L. K. CAMPBELL.

Printer to the King's Most Excellent Majesty.

## An Act to amend The Municipal Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 591 of *The Municipal Act* as amended by the Rev. Stat. c. 223, s. 591 amended.  
 5 *The Municipal Amendment Act, 1900*, is hereby amended by adding thereto the following:—

“By the councils of cities, towns and incorporated villages

12. For the remission of taxes in whole or in part payable for any current year, or for exemption in whole or in part from taxation for one or more future years, or for fixing the amount of assessment to be made for one or more future years, in the case of any person exercising or about to exercise within the municipality, any public franchise for the supply of water, light, heat, transportation or other public service to the municipality  
 15 or to the inhabitants thereof.

(a) Any such by-law may be passed before or after the operation of any such public franchise has been commenced.

20 (b) Such by-law may be made subject to such terms and conditions as to the council seem fit.

(c) No such by-law shall continue in force for more than 3 years without re-enactment.

25 (d) The remission and exemption hereby authorized shall not apply to school or local improvement rates.

(e) No such by-law shall require the assent of the rate-payers of the municipality.”

No. 175.

4th Session 9th Legislature,  
1 Edward VII., 1901.

BILL.

An Act to amend The Municipal Act.

First Reading, 21st March, 1901.

Mr. ROSS.

TORONTO,

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

An Act respecting the University of Toronto and  
University College, Toronto.

HIS MAJESTY, by and with the advice and consent of the  
Legislative Assembly of the Province of Ontario enacts  
as follows :—

1. This Act shall be known as *The University Act, 1901.* Short Title.

5 2. The University of Toronto (hereinafter called "the Uni-  
versity") and University College, Toronto, (hereinafter called  
"the College") are hereby continued and declared to be sub-  
ject to the provisions of this Act. University  
and College  
continued.

10 3. The Lieutenant-Governor shall be the visitor of the  
University and of the College on behalf of the Crown, and  
his visitorial powers may be exercised by commission, and  
the proceedings of any commission, having been first confirmed  
by Order in Council, shall be binding on the University and  
College, and their members and all other persons whomsoever.  
15 Lieutenant  
Governor to be  
visitor.  
R. S. O. 1897, c. 298, ss. 4, 70.

PART I.—PROPERTY AND INCOME.

4. The permanent funds and property of the University  
and the College shall be managed by a board of trustees  
consisting of the chancellor, the vice-chancellor, the president  
20 of the University, the principal of the College and five persons  
appointed by the Lieutenant-Governor in Council. *New.* Board of  
trustees.

(2). Such board of trustees shall be a body corporate under  
the name and style of the "Trustees of the University of  
Toronto" with perpetual succession and a common seal and  
25 with power to hold lands subject to this Act for the purposes  
of the University and College without license of Mortmain and  
under the name of the "Trustees of the University of Toronto"  
to contract and be contracted with, sue and be sued in all  
courts and places whatsoever in this province. *New.* Board of  
trustees  
incorporated.

30 5. All property and effects real and personal now vested in  
the Crown in trust for the purposes of the University and the  
College, and all other property and effects now owned by or  
held in trust for the University or the College, or to which the  
Property  
vested in  
Corporation.

University or the College is entitled, shall be, and they are hereby vested in the said body corporate the Trustees of the University of Toronto for the purposes of the University and the College but subject to the provisions of this Act. *New.*

Permanent Fund.

(2) All such property and the purchase money of any principal thereof which may be sold and the principal of all money invested shall be deemed permanent property and shall not except as hereinafter provided be diminished or expended but shall remain as a permanent fund for the support and maintenance of the University and the College and for the purposes of this Act. R. S. O. 1897, c. 299, ss. 1, 12, *amended.*

Future property.

(3) All property real and personal which may hereafter be granted, devised or bequeathed to or for the University or the College shall be vested in the said body corporate the Trustees of the University of Toronto in trust for the purposes and support of the University and the College subject to the provisions of this Act and to the terms of the grant, devise or bequest. *New.*

Income Fund.

(4) The income from the permanent fund and from the investments made by the said board of trustees, the rents, issues and profits and interest or dividends from all property real and personal held for the benefit of the University and the College except property touching which it has been otherwise ordered by the donor, together with all fees, shall form an income fund which shall be at the disposal of the said board of trustees for the purpose of the University and the College and the said board of trustees may in their discretion from time to time use any surplus for creating a contingent fund or add such surplus to the permanent fund of the University and the College. R. S. O. 1897, c. 299, ss. 11 and 18, *amended.*

General powers of Board of Trustees.

6. The board of trustees shall have the power of appointment and removal of the bursar and his assistants or clerks and all other officers and servants of the University and College employed in or about the premises or grounds of the said University or College, and shall have the control, management and government of the property, endowment funds, and all other assets, income and revenues of the said University and College and shall have power from time to time to make by-laws, rules and regulations not contrary to law or the provisions of this Act and from time to time to repeal or vary and amend the same or any of the same for the management of the said property, endowment funds and all other assets, income and revenues of the said University or College and of fixing the salaries of the president, principal, professors and all other teachers in the said University and College and of the librarian, registrar, bursar, officers and servants from time to time and also as to matters pertaining to the business, meetings and transactions of the said trustees from time to time and shall have power to fix the quorum necessary for meetings of



the trustees and to act by such committees as they may deem proper to appoint from time to time. *Nov.*

7. In addition to the general powers hereinbefore conferred and without limiting the same, the board of trustees shall have the following powers: Special Powers of Trustees.

(1) They shall have the management of all property of the University and the College. Management of Endowment.

(2) They may (subject always to the limitations of any trust as to the same) invest said endowment and permanent funds and all moneys which shall or may come into their hands for the purposes of the University or the College, in any securities in which a trustee may invest by the law of this Province. *Nov.* Investments.

(3) They may lease any part of the said property not required for the business or accommodation of said University or College for any period of time not exceeding 42 years with power of further renewal and with the usual clauses appertaining to building leases and renewals; but before leasing any such property at least one month's notice of intention to lease must be given to the Senate. *Nov.* Leases.

(4) They may fix the fees for lectures in law and medicine, the fees to be paid by students not enrolled in the College, or in a federating University, or a federating College, or by all other casual students, the fees to be paid for the use of the library and laboratories, the fees for examinations of all kinds and for degrees and certificates. R.S.O. 1877, c. 298, secs. 5 (4) (5) (6), 40, 59 (2) *amended.* Fixing fees.

(5) They may from time to time authorize such permanent improvements or additions to the University or the College or the erection and equipment of such new buildings as may be necessary and may direct the cost thereof to be paid out of the funds of the University: provided, however, that every Order-in-Council approving of such by-law, rule or regulation, shall as soon as conveniently may be after the making of the same be laid before the Legislative Assembly of the province of Ontario for its ratification or rejection and no such by-law, rule or regulation shall be operative unless and until the same has been ratified by the Legislative Assembly. R.S.O. 1877, c. 299, s. 19. Improvements or additions to buildings.

(6) They shall require the officers of the University and the College on or before the first day of June in each year, to submit estimates of the probable sums of money required for the management of the funds of the University and the College, the payment of salaries, the maintenance of the University and the College and all expenses incidental to the Senate, the University and the College in the faculties of arts, law and medicine, and all other necessary and proper expenditure, and shall also require the head of each department to submit a statement of the amount of money required for the incidental Annual estimates.

expenses of his department, and the trustees shall make the annual appropriations out of the income fund of the University and the College for the next ensuing financial year indicating the officer or committee, as the case may be, to be entrusted with directing the expenditure of such appropriation. Where appropriations have not been made on or before the first day of October in any year, then the Lieutenant-Governor in Council may make the appropriations *New.* 5

Supplement-  
ary appropria-  
tions.

(7) Whenever any such appropriation is exhausted no further payment shall be made, unless the approval of the Lieutenant-Governor in Council has been obtained to a supplementary appropriation when payments may be made to the extent of such supplementary appropriation. *New.* 10

Mortgages to  
University.

8. The mortgages or other instruments respecting the investments of the University and the College shall be made to and taken in the name of the Trustees of the University of Toronto. *New.* 15

Execution of  
instruments.

9. All conveyances, grants, leases, discharges or assignments of any lands, tenements or securities now held in name of the bursar of the University, or now or hereafter held by or for the University or the College, shall be made by the said board of trustees under their corporate name and shall be attested by the seal of the body corporate and the signatures of the chairman of the board or some person thereto authorized by the said board of trustees and of the bursar. *New.* 20 25

Superannua-  
tion.

10. The board of trustees may make regulations for the retirement and superannuation of the president, principal and any professor or other teacher in the said University or the College and of the librarian, registrar, bursar and any officer or servant of the University or the College, and any gratuity or superannuation allowance paid under this Act may be paid out of a fund to be provided for that purpose or out of the income as the Board of Trustees shall direct. *New.* 30 35

Regulations of  
trustees to be  
submitted to  
Lieutenant-  
Governor-in-  
Council.

11. Every by-law, rule or regulation made by the trustees under this Act shall be submitted to the Lieutenant-Governor-in-Council for approval, and shall have no force or effect until such approval is signified in writing to the board of trustees.

(2) Every Order-in-Council approving of such by-law, rule or regulation shall be laid before the Legislative Assembly forthwith if the Legislature is in session at the date of such Order-in-Council and if the Legislature is not in session such Order-in-Council shall be laid before the House within the first seven days of the session next after such regulation was made. 40 45

(3) In case the Legislative Assembly at the said session, or if the session does not continue for three weeks after the said Order-in-Council is laid before the House, then at the ensuing

session if the Legislative Assembly disapproves by resolution of such Order-in-Council, either wholly or any part thereof, the regulation, so far as disapproved of, shall have no effect from the time of such resolution being passed. R.S.O. 1897, c. 298, s. 89 amended by applying same to trustees.

12. Any person may establish a chair or scholarship in any subject taught in the University or the College or may aid in the promotion of the interests of the University or the College in any way by providing an endowment for such purpose, subject to such conditions as such persons, with the approval of the Lieutenant-Governor-in-Council may prescribe. R.S.O. 1897, c. 298, s. 83, 84.

Professor-ships may be founded by private parties, and how.

13. Lectures in arts in the University, shall be free to all students matriculated in the University, who are enrolled in a federating university, or in a federating college, or in the College and who enter their names with the registrar of the University. R. S. O 1897, c. 298, s. 5 (4).

(2) Any person not enrolled in the College or in a federating University or federating College attending lectures in the University and any person using the laboratories of the University in the course of instruction and any person attending lectures in law or medicine shall pay such fees as the trustees may determine. R. S. O. 1897, c. 298, s. 5 (4).

(3) Any person attending lectures in the College shall pay such fees as may be determined by regulation of the trustees and such fees may be included in an annual sum for enrolment in the College. R. S. O. 1897, c. 298, s. 79.

#### INSTRUCTION IN SCIENCE.

14. For the purpose of encouraging a study of the mineral resources of the Province, and for supplying the demands of expert knowledge in engineering and manufactures, the Lieutenant-Governor may from year to year pay out of the consolidated revenue of the Province, the salaries of all Instructors in the departments of Chemistry, Physics, Mineralogy and Geology, and the cost of maintenance of said departments; such payments to be based upon the annual estimates of the trustees of the University, as approved by the Lieutenant-Governor-in-Council. The first payment under this Act shall apply to the financial year of the University which closes on the 30th June, instant. (*Nov.*)

Assistance to Scientific Departments of the University.

15. The Lieutenant-Governor may by Order in Council set apart that portion of the lands on the north side of College street in the City of Toronto now held in trust by the Crown for the purposes of the University and the College, known as lots 7, 8, 9 and 10 according to plan registered in the Registry Office for the said City of Toronto as D 18. Such lots to be

Lands reserved for Scientific Departments.

used for the erection of buildings for the departments of Mineralogy and Geology in connection with the University, and for the extension of the School of Practical Science. (*New.*)

## PART II. FEDERATION.

Existing federations confirmed.

**16.** Any University or College federated with the University of Toronto or any other school or other institution affiliated with the University of Toronto, or with a federating University, shall continue so federated or affiliated subject to any statute of the Senate in that behalf, or to this Act. (*New.*)

Federated and Affiliated Institutions.

**17.** The following institutions are declared to be federated with the University of Toronto, namely:—Victoria University, Knox College, Wycliffe College, St. Michael's College. The following institutions are declared to be affiliated with the University of Toronto, namely:—Trinity Medical School, Toronto School of Medicine, Albert College, Toronto Baptist College, Ontario Agricultural College, Royal College of Dental Surgeons, School of Practical Science, Toronto College of Music, Woman's Medical College, Ontario College of Pharmacy, Huron College, Toronto Conservatory of Music, Ontario Veterinary College. (*New.*)

Federating University must suspend its power to confer degrees

**18.** (1) Any university in the province of Ontario which suspends its power to confer such degrees as it may be authorized to confer (excepting degrees in theology) shall be entitled to be represented on the Senate of the University of Toronto as hereinafter provided, and shall during the term of the suspension of such power as aforesaid, be known as a federating university, with a right to all the privileges and franchises hereinafter mentioned. R. S. O. 1897, c. 298, s. 6 (1).

Proclamation of such suspension

(2) When any university in Ontario has decided to suspend its power of conferring degrees as aforesaid, the proper officer thereof shall notify the Provincial Secretary to that effect, and on the receipt of such notice the Lieutenant-Governor in Council may, by proclamation in the *Ontario Gazette*, declare such university to be federated with the University of Toronto, on and after such date as may be named in the proclamation, and thereupon the power to confer such degrees shall remain in abeyance until proclamation is made to the contrary effect in a similar way. R. S. O. 1897, c. 298, s. 6 (2).

(3) The power of Victoria University to confer degrees (excepting degrees in theology) heretofore suspended shall remain suspended and in abeyance subject to the provisions of the next succeeding subsection. R. S. O. 1897, c. 298, s. 6 (3).

How to resume power to confer degrees.

(4) Any federated or federating university, before resuming the power of conferring degrees so suspended or held in abeyance shall, through its proper officer, notify the Provincial Secretary of its intention to do so, but such power shall not be exercised for three years after the date of such federation,

nor until one year after notice is received as aforesaid, of which notice proclamation shall be made in the *Ontario Gazette*. R. S. O. 1897, c. 298, s. 6 (4).

(5) The graduates and undergraduates in arts, science and 5 law of any federating university, and such graduates and undergraduates in medicine as have passed their examinations in the province of Ontario shall, from and after the date of such federation, have and enjoy the same degrees, honours and status in the University of Toronto as they previously held in 10 the federating university, and shall be entitled, subject to the provisions of this Act, to all the rights and privileges pertaining to such degrees and status, so long as such federation continues. R. S. O. 1897, c. 298, s. 7.

(6) A college affiliated with the university shall be deemed 15 to be affiliated with the University of Toronto, but such affiliated college shall not, nor shall any other college hereafter affiliated with the University of Toronto, thereby acquire the right of representation on the Senate, unless so declared in a statute of the Senate in that behalf. R. S. O. 1897, c. 298, s. 8(1).

(7) The Senate may by statute remove from federation with 20 the University of Toronto any federating or affiliating college or school which affiliates with or becomes an integral part of any other university exercising university powers other than that of conferring degrees in theology. R. S. O. 1897, c. 298, s. 8(3).

### 25 PART III. ACADEMIC MANAGEMENT.

19. The academic government of the University of Toronto shall remain with the chancellor, vice-chancellor, president of the University, principal of the College, professors of the University, and members of the Senate and of Convocation for 30 the time being, and all existing appointments, statutes and regulations affecting the University, shall continue, subject to this Act. R. S. O. 1897, c. 298, s. 2 (2), 3 amended.

20. The president of the University, the principal of the College, the deans of the faculties of law, medicine and 35 engineering, the librarian, the registrar and all professors, and other instructors in the several faculties of the University and the College, shall be appointed by the Lieutenant-Governor and shall hold office during pleasure. R. S. O. 1897, c. 298, s. 5 (2), 77.

21. No religious test shall be required of any professor, instructor, student, officer or servant of the University or the College, nor shall attendance upon religious service, according 40 to the forms of any particular denomination, be imposed on them or any of them. R. S. O. 1897, c. 298, s. 82, part.

22.—(1) The course of instruction in the faculty of arts shall be apportioned between the University and the College as 45

Status of graduates, etc.

Affiliated colleges generally

Senate may remove from federation.

Academic Government of the University

Lieutenant-Governor to appoint professors, etc.

No religious tests, etc., to be required.

Subjects of instruction in University.

- follows:—(1) In the University instruction shall be given in mathematics, physics, astronomy, geology, chemistry, biology, history, philosophy, psychology, logic, metaphysics, political economy, and constitutional law, and in such other subjects as the Senate may by statute from time to time determine. 5  
 Instruction shall also be given in law, medicine and engineering, and these subjects shall continue as separate faculties. R.S.O. 1897, c. 298, s. 5 (1) (5), *amended*.
- Faculties of law, medicine and engineering.
- (2) In the College instruction shall be given in Greek, Latin, English, French, German, Italian, Spanish, Oriental Languages and moral philosophy, and in such other subjects (except theology) as by regulation made in that behalf may be determined by the statute of the Senate. R.S.O. 1897, c. 298 s. 78, *amended*. 10
- Subjects of instruction in the College.
- (3) The Senate of the University may by statute provide that instruction in a federated university or college in biblical Greek, Biblical literature, Christian ethics, apologetics, the evidences of natural and revealed religion and church history, shall be taken as the equivalent for a degree in arts or any subject on the university curriculum, but none of such subjects shall be compulsory upon any candidate for such degree. R.S.O. 1897, c. 298, s. 5 (3). 15
- Theological options.
- (4) The subjects assigned by this Act to the University and the College respectively, shall not be transferred from one to the other, except upon the unanimous consent of the Senate, expressed at a special meeting called for the consideration of such transfer, of which at least one month's notice shall be given nor until such consent has been concurred in by the Lieutenant-Governor in Council. R.S.O. 1897, c. 298, s. 88. 25
- Transfer of subjects assigned to the University and to the College.
- 23.—(1) All students in arts in attendance at the University of Toronto, except in cases specially provided for by statute of the Senate, shall be enrolled in the College or in an affiliated college or in a federated university. R.S.O. 1897, c. 298, s. 80. 30
- Students to be enrolled.
- (2) Attendance upon instruction provided in any federating university or college or affiliated college, school or other institution, including the College, shall be equivalent to attendance at the University as a condition of proceeding to a degree or for the purpose of competing for any certificate of honour or scholarship therein. R.S.O. 1897, c. 298, s. 39 (4). 35
- Attendance.
- (3) Every graduate's diploma or student's certificate of standing in addition to being signed by the proper university authorities in that behalf shall indicate the federating university or college, or affiliated college in which such graduate or student was enrolled at the time of his graduation or exami- 45
- Diploma to be signed.

nation and shall be signed by such professors, teachers and officers of the federating university or college, as the governing body thereof may determine. R.S.O. 1897, c. 298, s. 39 (2).

(4) No student enrolled at any federating university or college (including the College) shall be allowed to present himself for any University examination, subject to matriculation, without producing a certificate, that he has complied with the requirements of such federating university or college, affecting his admission to such examination. R.S.O. 1897, c. 298, s. 39 (3). Certificate required.

#### THE SENATE.

24. The senate of the University of Toronto shall be composed as follows:—

(1) The Minister of Education, the chancellor, the president of the University, the principal of the College, the president or other head of each federating University or federating College, and all Chancellors and Vice-Chancellors of the University who held these offices on or before the date of the passing of this Act, shall be *ex-officio* members of the senate. R.S.O., 1897, c. 298, s. 11 (1). (*Amended*). Ex-officio members.

(2) The professors and associate professors of the University shall appoint representatives to the senate in the following manner, that is to say:—(a) The professors and associate professors in mathematics, physics, chemistry, biology, geology and physiology shall from among themselves appoint 2 members; (b) the professors and associate professors in political economy, constitutional law, Roman law, and history, shall from among themselves appoint 2 members; (c) the professors and associate professors in the College shall appoint 1 member, but no person eligible for appointment as a professor or associate professor of the University shall be appointed a representative of the College; (d) the Law Society of Upper Canada, the governing body of every federating or affiliated College or school in this Province federated or affiliated on the 23rd day of April, 1887, subject to any statute of the University in that behalf, may each appoint one member. (*New*).

(5) The graduates in arts of the University of Toronto who were enrolled in University College may elect 12 members; the graduates of Victoria University and the graduates of the University of Toronto enrolled in Victoria College shall elect 5 members; the graduates in law may elect 2 members; the graduates in medicine may elect 4 members. Persons holding certificates as high school principals or assistants who are actually engaged in teaching, may elect 2 members as hereinafter provided. R.S.O., 1897, c. 298, s. 11 (3). (4), (7). (*Amended*).

Federating  
University  
to elect  
proportionate  
number of  
representa-  
tives.

(6) In the case of any University federating with the University of Toronto, such federating University shall be entitled to be represented on the senate in the proportion of one representative for every one hundred graduates in arts. Any fraction of one hundred over one-half shall entitle the federating University to an additional representative. 5

(7) All appointments and elections to the senate shall be for a period of three years and until their successors are appointed or elected. In case of vacancy from any cause, such vacancy shall be filled by the body possessing the power of appointment or election subject to this Act, and the persons appointed or elected to fill such vacancy shall hold office for the remainder of the term. *See.* 10

#### LIST OF VOTERS AT SENATE ELECTIONS.

List of persons  
entitled to  
vote.

25. For the purposes of all elections aforesaid at which graduates of any federating University are entitled to vote, the registrar of such University shall on or before the first day of June in each year in which an election of representatives by graduates of such University is to be held, furnish to the registrar of the University of Toronto for the purpose of enabling him to make out the election register, a list of the names of all graduates of such University who are entitled to vote, with their post office addresses. R. S. O. 1897, c. 298, s. 14. 15 20

Election  
register.

26.—(1) The registrar of the University shall triennially, after commencement when degrees are conferred, in every year in which an election is to take place make an alphabetical list or register, to be called "The Election Register," of the names and known addresses of the members of convocation, who are entitled to vote as such members: and such register may be examined by any member of convocation at all reasonable times at the office of the said registrar. The persons only whose names appear on the election register shall be entitled to vote as members of convocation. R. S. O., 1897, c. 298, ss. 15, 13. 25 30

(2) The registrar of the senate in preparing the election register hereinbefore mentioned shall make separate lists of the graduates in arts of the University of Toronto, enrolled in University College, and of the graduates of any federating University, including graduates of the University of Toronto enrolled a federating University, and shall also make separate lists of the graduates in medicine and of the graduates in law, and of all principals and assistants in high schools and collegiate Institutes (the last mentioned list to be supplied by the Education Department) and such lists shall be the voters' lists for all elections to the senate. R. S. O., 1897, c. 298, s. 11 (6). 35 40 45  
*(Amended).*

(3) The graduates in arts of the University of Toronto, enrolled in University College, and the graduates in arts of any



federating University, including the graduates of the University of Toronto, enrolled in any federating University, shall vote as separate bodies. Graduates in medicine of the University of Toronto and of any federating University shall vote as one body, and a similar rule shall apply to graduates in law. R.S.O., 1897, c. 298, s. 11 (4) (5). (*Amended*).

(4) In case any person who considers himself entitled to be entered upon any of the said lists complains to the registrar in writing, of the omission of his name or of any error in the lists, or any of them, it shall be the duty of the registrar forthwith to examine into the complaint and to rectify the error if any there be, subject at all times to an appeal to the Chancellor or vice-Chancellor. R.S.O., 1897, c. 298, s. 15 (2). (*Amended*).

Errors.

How corrected.

#### 15 NOMINATION OF CHANCELLOR AND MEMBERS OF SENATE.

27.—(1) The Chancellor and such persons as are candidates for the senate shall be nominated by nomination papers, signed by at least ten members of convocation, and such nomination papers shall be delivered at the office of the registrar, on or before the first Wednesday in September in any year in which an election is held. R. S. O., 1897, c. 298, s. 16 (1).

Nomination papers.

(2) In case only one candidate is nominated within the time herein mentioned for receiving nomination papers for the office of chancellor, or in case no more than the number of representatives which the graduates are entitled to elect are nominated as provided by this Act the registrar shall report to the senate the names on such nomination papers at its next meeting, and the persons so nominated shall be entitled to the offices for which they were respectively candidates. R. S. O. 1897, c. 298, s. 16 (2).

Unanimous election.

(3) On or before the second Wednesday in September, the registrar shall send by post, the form of voting paper in the schedule of this Act to all members of convocation and to such other persons whose names are entered upon any of the lists hereinbefore mentioned where their residence is known, together with the lists of all candidates nominated by ten members, and also a list of the retiring members, and the voting for members of the senate shall be limited to the persons who have been so nominated. R. S. O. 1897, c. 298, s. 16 (3).

List of members of senate to be sent with list of voters.

#### 40 MODE OF ELECTION TO THE SENATE.

28.—(1) The votes at an election for Chancellor and for members of the senate respectively, shall be given by closed voting papers, in the form in the schedule to this Act, or to the like effect, and such voting paper shall be delivered to the registrar of the University, at his office between the hours of ten o'clock in the forenoon and four o'clock in the afternoon, on any day between the second Wednesday of September and

How votes are to be given.

the first Wednesday of October, in each year in which an election is held; and any voting papers received by the registrar by post during the time aforesaid, shall be deemed as delivered to him for the purpose of the election. R. S. O. 1897, c. 298, s. 17. 5

Opening voting papers.

(2) The voting papers shall, upon the Thursday after the first Wednesday of October, be opened by the registrar of the University, in the presence of the scrutineers, to be appointed as hereinafter mentioned, who shall examine and count the votes, and keep a record thereof in a proper book to be provided by the senate. Any person entitled to vote at the election may be present at the opening of the voting papers. R. S. O. 1897, c. 230, ss. 18, 21. 10

Appointment of scrutineers.

(3) The senate of the University or, in default, the chancellor, shall, at least two weeks previous to the election, appoint two persons who, with the vice-chancellor, shall act as scrutineers at the next ensuing elections; and the senate or, in default, the chancellor, shall appoint a member of the senate, who shall act for and as the vice-chancellor, should he be absent from the election. R. S. O. 1897, c. 298, s. 24. 15 20

Informal voting papers.

(4) In the event of any elector placing more than one name on his voting paper for chancellor, or more than the required number on his voting paper for members of the senate, the first name only shall be taken for chancellor, and the first names only, not exceeding the required number, shall be taken for the members of the senate. R. S. O. 1897, c. 298, s. 25. 25

Declaration of result of election.

(5) Upon the completion of the counting of the votes and of the scrutiny, the vice-chancellor, or other person acting as and for him, shall declare elected as chancellor and members of the senate respectively the candidates who had a majority of the votes cast, and shall, as soon as conveniently may be, report the same in writing signed by himself and by the scrutineers, to the senate and to the Secretary of the Province. R. S. O. 1897, c. 298, s. 19, 20, 23. 30

Equality of votes.

(6) In case of an equality of votes between two or more persons, which leaves the election of the chancellor, or of one or more members of the senate, undecided, then the scrutineers shall forthwith put into a ballot box a number of papers with the names of the candidates respectively having such equality of votes written thereon, one for each candidate, and the registrar of the University, shall draw from the ballot-box, in the presence of the scrutineers, one of the papers in the case of the election of chancellor, and one or more of the papers in the case of the election of members of the senate, sufficient to make up the required number, and the persons whose names are upon the papers so drawn shall be respectively the chancellor and the members of the senate. R. S. O. 1897, c. 298, s. 22. 35 40 45

Vacancy in the office of chancellor, how filled.

(7) In case of a vacancy in the office of chancellor, before the expiration of his term of office, then, at a special election, 50

to be held for that purpose (of which notice shall be given in such manner as may be provided by statute of the senate), the members of convocation shall elect a chancellor for the remainder of the term. R. S. O. 1897, c. 298, s. 9 (3).

- 5 (8) In case a vacancy shall occur by removal from the Province of any member of the senate elected by convocation before the expiry of his term of office, or from any other cause, the senate shall thereupon appoint, from amongst the members of convocation, another member of the senate for the remainder  
10 of the term. R. S. O. 1897, c. 298, s. 27.

Vacancies in senate, how filled.

29. The chancellor shall have the right to preside at all meetings of the senate, but in the event of his waiving his right to preside, the vice-chancellor shall preside. In the absence of both the senate shall appoint a chairman. Seven  
15 members shall form a quorum. R. S. O. 1897, c. 298, ss. 33, 34.

Chancellor or vice-chancellor to preside.

Quorum.

- 30.--(1) The senate shall, at its first regular meeting after the ordinary triennial elections, elect a vice chancellor from among its members who shall hold office for three years and until his successor is appointed. R. S. O. 1897, c. 298, s. 10.

Election of vice-chancellor.

- 20 (2) In case of a vacancy in the office of Vice-Chancellor, before the expiration of his term of office, the senate shall, at a meeting to be held for that purpose, as soon as conveniently may be, elect a Vice-Chancellor for the remainder of the term. R. S. O. 1897, c. 298, s. 10 (3).

Vacancies to be filled up by the senate.

## 25 POWERS OF THE SENATE.

31. The Senate shall have power to make statutes—

- (1) For carrying out the academic work of the University and College, including the courses of study, the conduct of examinations, the granting of degrees and certificates of proficiency, the establishing and awarding exhibitions, scholarships or prizes, the settlement of procedure in the transaction of business, the fixing the duties of the librarian and registrar, and other officers subject to the control of the Senate, and, in general, for promoting the interests of the University and the  
30 College or for any purpose for which provision may be required for carrying out this Act. *Nov.*

Powers of Senate.

- (2) For the affiliation of any college, school or other institution established in this Province for the promotion of science or art, or for instruction in law, medicine, engineering, agriculture, or other useful branch of learning, or for the  
40 dissolution of such affiliation or the modification or alteration of the terms thereof. R. S. O. 1897, c. 298, s. 53 (1), (2), *amended.*

Affiliation.

32. A certified copy of every statute shall be transmitted  
45 to the Minister of Education within ten days after the passing

Statutes to be subject to approval of visitor.

thereof, to be laid before the Lieutenant-Governor in Council for his approval; and no statute shall have force or effect until such approval has been signified through the Minister of Education. R. S. O. 1897, c. 298, s. 42.

Senate to report to the Lieutenant-Governor.

**33.** The Senate of its own motion may, or when required by the Lieutenant-Governor, shall enquire into the conduct, teaching and efficiency of any professor or instructor in the University or College or into the general condition and progress of the University or College, and report to the Lieutenant-Governor the result of its enquiry, with such recommendations as may be deemed expedient. R. S. O. 1897, c. 298, s. 46. 5 10

#### CONVOCAATION.

Convocation of whom to consist.

**34.** Convocation shall consist of the graduates of the University of Toronto and of all federated Universities, and every graduate shall be a member of convocation. No *ad eundem* degree shall, without the consent of convocation, entitle the holder thereof to become a member of convocation. R. S. O. 1897, c. 298, ss. 12, 37. 15

**35.** Convocation shall have power: 20

Powers of convocation.

(1) To elect a chairman, who will hold office for three years, or until his successor is appointed. The members of convocation may elect any person to preside *pro tem* in the absence of the chairman. Secs. 60 (1), 64, 65.

(2) To consider all questions affecting the well-being and prosperity of the University, and to make representations from time to time on such questions to the Senate of the University, who shall consider the same and return to convocation their conclusions thereon. Sec 60 (2). 25

(3) To decide the mode of conducting and registering the proceedings of convocation; of appointing and removing the clerk of convocation, and of prescribing his duties; and of requiring a fee to be paid by members of convocation as a condition of being placed on the register of members. Sec. 60 (5) (6) (7). 30 35

(4) Convocation shall meet at such times and places as may be ordered by the senate, or by the executive committee of convocation, and it shall be the duty of the senate to provide a place for such meeting. Notice of all meetings shall be given in such manner as the senate, or executive committee may determine. The proceedings of any meeting of convocation shall be transmitted to the senate at the next following meeting of the senate. Sec. 60 (8), 63. 40

Questions before convocation how decided.

(5) All questions which come before convocation shall be decided by a majority of the members present, in such manner as may be provided by any resolution or by-law of convoca- 45

tion. The chairman shall have one vote, and in case of equality of votes, a second or casting vote. No question shall be decided at any meeting of convocation, unless thirty members at least are present. R. S. O. 1897, c. 298, ss. 66, 67.  
5 (*Amended*).

(6) If twenty-five or more members of convocation shall by writing under their hands, require the chairman for the time being of convocation to convene an extraordinary meeting of convocation, and such requisition shall express the object of the meeting required to be called, the chairman shall within a reasonable time, convene such meeting of convocation. No matter shall be discussed at any such extraordinary meeting, except the matter or matters, for the discussion whereof it was convened. R. S. O. 1897, c. 298, ss. 61, 62.

Extraordinary meetings of convocation. What may be discussed.

15

## UNIVERSITY COUNCIL.

**36.**—(1) For the purposes hereinafter mentioned, there shall be established a Council composed of the president of the University who shall be chairman thereof, and representatives to be chosen annually on or before the 1st day of September, as follows: (1) the professors and associate professors of the University in arts and law, two from among themselves; (2) the professors and associate professors of the University in medicine, two from among themselves; (3) the principal of the College; (4) the principal of each federating University or federating College; (5) the principal of the School of Science; (6) the librarian of the University. (*New*)

Academic Council, how composed.

(2) The Council shall have power, to deal with all matters affecting the discipline of students in attendance at the University; to control all associations of students in the University and to decide finally what are University Associations; to determine, after conference with the authorities of affiliated institutions, the time-tables, lectures and laboratory work of the University, to grant dispensation from the lectures and laboratory work of the University and Colleges upon the report of the professors in the faculties concerned; to authorize such lecturing or teaching in the University by others than the duly appointed professors and teachers as they may deem expedient, and to prevent all lecturing or teaching not so authorized. The registrar of the University shall be registrar of the council. (*New*)

Powers of council.

## POWERS OF PRESIDENT.

**37.** It shall be the duty of the president to make arrangements with respect to University examinations for which no provision has been made by the Senate; to call meetings of the professors of the University from time to time with a view to increasing the efficiency of the various departments of University work and to arrange in conjunction

Powers of President.

with the heads of the different departments the appropriate duties of all assistant instructors: to exercise such supervision over the buildings, grounds and apparatus as will ensure their lawful use and protection; to suspend any curator, laboratory assistant or servant subject to the determination of the trustees: to call meetings of one or more of the faculties of the University when requested by at least five professors: to exercise such general executive powers (not otherwise provided by this Act) as are necessary to the efficiency and good government of the teaching departments of the University and the advancement of their interests; and to report annually to the Lieutenant-Governor upon the progress and efficiency of the University, making such suggestions and recommendations as he may deem expedient. (*New*) 5

38. It shall be the duty of the principal of the College to call meetings of the professors and associate professors of the college from time to time with the view of increasing the efficiency of the various departments of college work and to arrange in conjunction with the heads of the different departments the appropriate duties of all assistant instructors in the college and to exercise such supervision over the instruction given in the college as will promote efficiency and the good government of the college. He shall have power to exercise such discipline over the students, officers and servants of the college as may be requisite for order and efficiency. (*New*) 20 25

#### COLLEGE COUNCIL.

Powers of.

39.—(1) For the purposes hereinafter mentioned there shall be established a Council of the College which shall be composed of the principal of the College and the professors and associate professors of the College. 30

(2) Save as herein otherwise provided the College shall be under the direction and management of the Council. The principal or in his absence the senior member present shall preside at meetings of the Council. Five members of the Council shall be a quorum. The Council may make by-laws, rules and regulations for the direction and management of the College, and shall have full authority over and entire responsibility for the discipline of the undergraduates in relation to the lectures and other instruction of the professors, lecturers and other teachers of the College, and no lecturing or teaching of any kind shall be carried on in the College by any other than the duly appointed professors and teachers without the authority of the Council. (*New*) 35 40

#### THE QUEEN'S PARK.

45

Lease to City of Toronto of land for a park.

40. Whereas the bursar of the University of Toronto was by section 66 of chapter 62 of the Consolidated Statutes for

Upper Canada authorized to demise at a nominal rent, for a period of nine hundred and ninety-nine years, to the corporation of the City of Toronto, in trust for the purposes of a park, as well as for the use of the professors, students and other members of the University, as of the public generally, and for no other purpose whatsoever, so much of the land then vested in Her late Majesty Queen Victoria now vested in the said board of trustees as aforesaid, situate within or adjacent to the limits of the said city, as the said chancellor, vice chancellor and members of the Senate of the said University might by by-law approved of by the Governor-in-Council, set apart for such purposes not exceeding in the whole fifty acres, and upon such terms and conditions as had been or might after the said Act take effect, be agreed upon between the said University and the council of the said corporation: and whereas in pursuance of such powers, the said bursar made such lease as aforesaid:—Therefore it is enacted that, so long as the said lease remains in force, the land so demised, shall be deemed to be and shall be taken to form a part of the said City of Toronto: and the residue of the lands so vested in Her late Majesty, but now vested in the said board of trustees as aforesaid, adjacent to the said park, shall be subject to all the police regulations of the said City of Toronto and to all by-laws of the said city in that behalf. R.S.O., 1897, c. 299, s. 21.

Lands leased to be part of the city and residue of University lands adjacent to be subject to city's police regulations and by-laws.

25

## TRINITY UNIVERSITY.

41. Should the Senate of Trinity University on or before the 1st day of January, 1902, notify in writing the Minister of Education that Trinity University has decided to federate with the University of Toronto, then all sections of this Act relating to the federation of Universities with the University of Toronto shall apply to Trinity University, together with the following special provisions:

Federation of Trinity University.

(1) The graduates in medicine and law of Trinity University shall vote for members of the Senate in one body with the graduates of the University in medicine and law respectively.

(2) The undergraduates and graduates of Trinity University at the date of the proclamation hereinafter referred to, proceeding to their first or higher degrees shall be allowed to proceed to their degrees under the regulations in force at Trinity University at the time of their matriculation.

(3) Lectures by instructors in the University may be delivered in Trinity University upon such terms as may be agreed upon until new buildings are provided for said University.

(4) A site in the Queen's Park for new buildings for Trinity University shall be reserved as may be agreed upon between the trustees of the University of Toronto and the Senate of Trinity University. Such site shall be occupied free of ground rent and all other charges by Trinity University so long as said

Trinity University remains federated, but in the event of the withdrawal of Trinity University from federation then said site shall be paid for at a valuation to be determined by arbitrators, one to be appointed by the trustees of the university, and one by the authorities of Trinity University. In the case of disagreement the Lieutenant-Governor shall appoint a third arbitrator. 5

Proclamation  
by Lieuten-  
ant-Governor.

Upon receiving the notification aforesaid the Lieutenant-Governor may issue his proclamation declaring said Trinity University to be federated with the University of Toronto, and thereupon this Act shall be deemed to apply to said Trinity University as a University federating with the University of Toronto. 10

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### SCHEDULE.

(Section . . .)

#### FORM OF VOTING PAPER.

*University of Toronto,*

*Election,* 19 .

I, \_\_\_\_\_ resident at \_\_\_\_\_ in the  
county of \_\_\_\_\_ do hereby declare :

- (1) That the signature affixed hereunto is my proper handwriting.
- (2) That I vote for the following person (or persons) as chancellor or as members of the Senate (*as the case may be*) of the University of Toronto, viz., \_\_\_\_\_ of \_\_\_\_\_ in the county of \_\_\_\_\_ etc., etc.,
- (3) That I have not in this election signed any other voting paper as a graduate of the Faculty of Arts (*or Medicine, or Law, or as Headmaster or Assistant of a High School, as the case may be*).
- (4) That this voting paper was executed on the day of the date hereof.
- (5) That I vote in my right as graduate of \_\_\_\_\_ University, *or* Headmaster, *or* Assistant master of a High School (*as the case may be*).

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 19 .

R.S.O., 1897, c. 298, *Sched.*





No. 176.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

An Act respecting the University of Toronto  
and University College, Toronto.

First Reading: 21st March, 1901.

Mr. HARROLD.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

An Act respecting the University of Toronto and  
University College.

**HIS MAJESTY**, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:—

1. This Act shall be known *and may be cited* as *The Uni-* Short Title.  
*versity Act, 1901.*

2. Where the words following occur in this Act they shall be construed in the manner hereinafter mentioned unless a contrary intention appears:

(a) "The University" shall mean the University of Toronto.

(b) "The trustees" shall mean the trustees of the University of Toronto.

3. The University of Toronto and University College, are and each of them is hereby continued and, subject to the provisions of this Act, shall have, hold, possess and enjoy all the rights, powers and privileges which they respectively now have, hold, possess or enjoy. University and College continued.

4. The Lieutenant-Governor shall be the visitor *in behalf* Lieutenant Governor to be visitor. of the *Crown* of the University and of *University College*, and his visitorial powers may be exercised by commission, and the proceedings of any commission, having been first confirmed by Order in Council, shall be binding on the University and College, and their members and all other persons whomsoever.  
R. S. O. 1897, c. 298, ss. 4, 70.

PART I.—PROPERTY AND INCOME.

5. The property *and financial affairs and business* of the University and *University College* shall be managed by a board of trustees consisting of the chancellor, the vice-chancellor and the president of the University, the principal of *University College* and *five* persons appointed by the Lieutenant Governor in Council. *None.* Board of trustees.

(2). *The* board of trustees shall be a body corporate under the name and style of the "Trustees of the University of Board of trustees incorporated.

Toronto" with power to hold lands subject to this Act for the purposes of the University and *University College* without license of Mortmain. *Nov.*

Property  
vested in  
Corporation.

6. All property and effects real and personal now vested in the Crown in trust for the purposes of the University and *University College*, and all other property and effects now owned by or held in trust for the University or *University College*, or either of them or to which the University or *University College* is entitled, shall be, and they are hereby vested in the Trustees for the purposes of the University and *University College* subject to the provisions of this Act. *Nov.*

Permanent  
Fund.

(2) All such property and the purchase money of any part thereof which may be sold and the principal of all money invested shall be deemed permanent property and shall not except as hereinafter provided be diminished or expended but shall remain as a permanent fund for the support and maintenance of the University and *University College* and for the purposes of this Act. R. S. O. 1897, c. 299, ss. 1, 12, *amended*.

Future  
property.

(3) All property real and personal which may hereafter be granted, devised or bequeathed to or for the University or *University College* shall be vested in the Trustees in trust for the purposes and support of the University and *University College* subject to the provisions of this Act and to the terms of the grant, devise or bequest. *Nov.*

Income Fund.

(4) The income from the permanent fund, the rents, issues and profits and interest or dividends from all property real and personal of or held for the benefit of the University and *University College* except property touching which it has been otherwise provided by the donor, together with all fees, which the trustees are authorized to impose shall form an income fund which shall be at the disposal of the trustees for the purpose of the University and *University College* and the trustees may in their discretion from time to time use any surplus for creating a contingent fund or add such surplus to the permanent fund of the University and *University College*. R. S. O. 1897 c. 299, ss. 11 and 18, *amended*.

7. It shall not be lawful for any person to exercise any power of expropriation or right of eminent domain upon or in respect of the said property or any part thereof without the consent of the trustees.

General  
powers of  
Board of  
Trustees.

8. The board of trustees shall have the power of appointment and removal of the bursar and his assistants and clerks and of all other officers and servants of the University and *University College* employed in or about the premises or grounds of the said University or *University College*, and shall have the control, management and government of the property, endowment funds, and all other assets, income and revenues

of the said University and *University College* and shall have power from time to time to make by-laws, rules and regulations not contrary to law or the provisions of this Act for the management of the said property, endowment funds and all other assets, income and revenues of the University and *University College* and of fixing the salaries of the president, of the University the principal of *University College* and the professors and all other teachers in the University and *University College* and of the librarian, registrar, bursar, officers and servants from time to time and also as to : atters pertaining to the meetings, and transactions of the trustees and shall have power to fix the quorum necessary for meetings of the trustees and to act by such committees as they may deem proper to appoint from time to time. *Now.*

§9. Without thereby limiting the general powers hereinbefore conferred, it is declared that the trustees shall have the following powers:

Special Powers of Trustees.

(1) They shall have the management of all property of the University and *University College*.

Management of Endowment.

(2) They may (subject always to the limitations of any trust as to the same) invest the endowment and permanent funds and all moneys which may come into their hands for the purposes of the University or *University College*, in any securities in which a trustee may by the law of this Province invest trust moneys. *Now.*

Investments.

(3) They may sell any part of the lands vested in them or lease the same for any period of time not exceeding 42 years with right of further renewals and with the usual clauses appertaining to building leases and renewals: but this provision shall not extend, except as to lands now under lease, to any lands which the Lieutenant-Governor may declare to be required for the accommodation of the University or *University College* or necessary to be retained for or in connection with the extension thereof, nor shall any of such lands so reserved be sold or leased without one month's notice in writing to the Senate of the intention to sell or lease the same. *Now.*

Sales and Leases.

(4) They shall fix the fees for post-graduate instruction: for instruction in law and in medicine; the fees to be paid by regular and occasional students for enrolment in *University College*, and by occasional students for enrolment in the University; the library fees: the laboratory fees and the fees for examinations, degrees and certificates.

Fixing fees.

(5) When a federated college by arrangement with the Senate, teaches any part of the Arts course, the trustees may make a reduction in the fees of students so taught in such college so as equitably to adjust the same. *Now.*

(6) They may from time to time authorize such permanent improvements of and in the property and additions to the buildings of the University and *University College* includ-

Improvements or additions to buildings.

ing the erection and equipment of such new buildings as may be necessary and may direct the cost thereof to be paid out of the funds of the University and University College: provided, however, that every Order-in-Council approving of the by-law, rule or regulation authorizing such expenditure, shall as soon as conveniently may be after the making of the same be laid before the Legislative Assembly of the province of Ontario for its ratification or rejection and no such by-law, rule or regulation shall be operative unless and until such Order-in-Council has been ratified by the Legislative Assembly. R.S.O. 1857, c. 299, s. 19.

Annual estimates.

(7) They shall require the proper officers of the University and University College on or before the first day of July in each year, to submit estimates of the probable sums of money required for defraying the cost of the management of the funds of the University and University College for the payment of salaries, the maintenance of the University and University College, the expenses of the Senate, the University and of University College in the faculties of arts, law and medicine, and of University College and all other necessary and proper expenditure, and the trustees shall make the annual appropriations out of the income of the University and University College for the next ensuing financial year indicating when necessary the officer or committee, as the case may be, to be entrusted with directing the expenditure of such appropriation. Where an appropriation have not been made on or before the first day of October in any year, the Lieutenant-Governor in Council may make the appropriation. *New.*

Mortgages to University.

10. The mortgages or other instruments respecting the investments of the University and University College shall be made to and taken in the name of the Trustees. *New.*

Execution of instruments.

11. All conveyances, grants, leases or assignments of any lands, and all statutory or other discharges of mortgages or other securities now held in the name of the bursar of the University, or now or hereafter held by or for the University or University College, shall be made by the trustees under their corporate name and shall be attested by the seal of the trustees and the signatures of the chairman or some person thereto authorized by the trustees and of the bursar. *New.*

Superannuation.

12. The trustees may make regulations respecting the retirement and superannuation of the president of the University, the principal of University College and of any professor or other teacher in the University or University College and of the librarian, registrar, bursar and any officer or servant of the University or University College, and any gratuity or superannuation allowance paid under this Act may be paid out of a fund to be provided for that purpose or out of the income as the Trustees shall direct. *New.*

**13.** Every by-law, rule or regulation of the trustees made under the provisions of section 10 or providing for the annual appropriations or for the appointment or removal of the bursar or any officer whom the trustees are by this Act authorized to appoint or remove, or for fixing salaries under the powers conferred by section 6, or for fixing the fees under sub-section 4 of section 7, or for determining the classes of investments to be made by the trustees, and every general by-law, rule or regulation for governing their proceedings, shall be submitted to the Lieutenant-Governor in Council for approval, and shall have no force or effect until such approval is signified in writing to the trustees.

Regulations of trustees to be submitted to Lieutenant-Governor-in-Council.

**14.** Any person may *endow* a chair or scholarship in any subject taught in the University or *University College* or may aid in the promotion of the interests of the University or *University College* in any way by providing an endowment for such purpose, subject to such conditions as such person, with the approval of the Lieutenant-Governor-in-Council may prescribe. R.S.O. 1897, c. 298, s. 83, 84.

Professorships may be founded by private parties, and how.

**15.** Instruction in arts in the University, shall be free to all regular students matriculated in the University, who are enrolled in *University College*, or in a federated university, and who enter their names with the Registrar of the University, but this provision shall not include exemption from laboratory fees.

#### INSTRUCTION IN SCIENCE.

**16.** (1) For the purpose of encouraging *the* study of the mineral and other natural resources of the Province, and for supplying the demand for expert knowledge in engineering and manufactures, the Lieutenant-Governor may from year to year pay out of the consolidated revenue of the Province, the salaries of all<sup>d</sup> professors, lecturers and other<sup>s</sup> instructors in the departments of Chemistry, Physics, Mineralogy and Geology, and the cost of maintenance of said departments; such payments to be based upon the annual estimates of the trustees as approved by the Lieutenant-Governor-in-Council. The first payment under this Act shall apply to the financial year of the University which closes on the 30th June, 1901. (*N. O.*)

Assistance to Scientific Departments of the University.

**17.** The Lieutenant-Governor may by Order in Council set apart that portion of the lands on the north side of College street in the City of Toronto now held in trust by the Crown for the purposes of the University and *University College*, known as lots 7, 8, 9 and 10 according to plan registered in the Registry Office for the said City of Toronto as D 18. Such lots shall be used for the erection of buildings for the departments of Mineralogy and Geology in connection with the University, and for the extension of the School of Practical Science.

Lands reserved for Scientific Departments.

## PART II. FEDERATION.

**Existing federations confirmed.** 18. Any University or College federated with the University or any other school or other institution affiliated with the University, or with a federated University, shall continue so federated or affiliated, subject to any statute of the Senate in that behalf, *and* to this Act. *New.*

**Federated and Affiliated Institutions.** 19. The following institutions are declared to be federated with the University, namely:—Victoria University, Knox College, Wycliffe College, St. Michael's College. The following institutions are declared to be affiliated with the University, namely:—Trinity Medical School, Toronto School of Medicine, Albert College, Ontario Agricultural College, Royal College of Dental Surgeons, School of Practical Science, Toronto College of Music, Women's Medical College, Ontario College of Pharmacy, Huron College, Toronto Conservatory of Music, Ontario Veterinary College. (*New.*)

**Federated University must suspend its power to confer degrees** 20. (1) Any university in the province of Ontario which suspends its power to confer such degrees as it may be authorized to confer (excepting degrees in theology) shall be entitled to be represented on the Senate of the University as hereinafter provided, and shall during the term of the suspension of such power as aforesaid, be known as a federated university, with a right to all the privileges and franchises hereinafter mentioned. R. S. O. 1897, c. 298, s. 6 (1).

**Proclamation of such suspension** (2) When any university in Ontario has decided to suspend its power of conferring degrees as aforesaid, the proper officer thereof shall notify the Provincial Secretary to that effect, and on the receipt of such notice the Lieutenant-Governor in Council may, by proclamation in the *Ontario Gazette*, declare such university to be federated with the University, on and after such date as may be named in the proclamation, and thereupon the power to confer such degrees shall remain in abeyance until proclamation is made to the contrary effect in a similar way. R. S. O. 1897, c. 298, s. 6 (2).

**How to resume power to confer degrees.** (3) The power of Victoria University to confer degrees (excepting degrees in theology) heretofore suspended shall remain suspended and in abeyance subject to the provisions of the next succeeding subsection. R. S. O. 1897, c. 298, s. 6 (3).

**Status of graduates, etc** (4) Any federated university, before resuming the power of conferring degrees so suspended or held in abeyance shall, through its proper officer, notify the Provincial Secretary of its intention to do so, but such power shall not be exercised for three years after the date of such federation, nor until one year after notice is received as aforesaid, of which notice proclamation shall be made in the *Ontario Gazette*. R. S. O. 1897, c. 298, s. 6 (4).

**Affiliated colleges generally** (5) The graduates and undergraduates in arts, science and law of any federated university, and such graduates and un-



degraduates in medicine as have passed their examinations in the province of Ontario shall, from and after the date of such federation, have and enjoy the same degrees, honours and status in the University as they previously held in the federated university, and shall be entitled, subject to the provisions of this Act, to all the rights and privileges pertaining to such degrees and status, so long as such federation continues. R. S. O. 1897, c. 298, s. 7.

(6) A college affiliated with a *federated* university shall be deemed to be affiliated with the University, but such affiliated college shall not, nor shall any other college hereafter affiliated with the University, thereby acquire the right of representation on the Senate, unless so declared in a statute of the Senate in that behalf. R. S. O. 1897, c. 298, s. 8 (1).

(7) The Senate may by statute remove from federation *from or affiliation* with the University any federated or affiliated college or school which affiliates with or becomes an integral part of any other university exercising university powers other than the power of conferring degrees in theology. R. S. O. 1897, c. 298, s. 8 (3).

### PART III. ACADEMIC MANAGEMENT.

**21.** <sup>22</sup> Subject to the provisions of this Act <sup>the</sup> the academic government of the University shall remain with the chancellor, vice-chancellor, *and* president of the University, *the* principal of *University* College, *the* professors of the University, and *the* members of the Senate and of Convocation for the time being, and all existing appointments, statutes and regulations affecting the University, shall continue, subject to this Act. R. S. O. 1897, c. 298, s. 2 (2), 3 *amended*.

**22.** The president of the University, the principal of *University* College, the deans of the faculties of law, medicine and *applied science and engineering*, the librarian, the registrar and all professors, and other instructors in the several faculties of the University and *University* College, shall be appointed by the Lieutenant Governor and shall hold office during pleasure. R. S. O. 1897, c. 298, s. 5 (2), 77.

<sup>23</sup> **23.** No religious test shall be required of any professor, lecturer, teacher, student, officer or servant of the *University* or *University* College, nor shall religious observances, according to the forms of any particular religious denomination, be imposed on them or any of them; but the council *University* College may make regulations touching the moral conduct of the students and their attendance on public worship in their respective churches or other places of religious worship, and respecting their religious instruction by their respective ministers, according to their respective forms of religious faith, and every facility shall be afforded for such purposes; provided always that attendance on such form of religious

observance be not compulsory on any student attending the University or University College. R.S.O. 1887, c. 230, s. 81.

Faculties of law, medicine and engineering.

**24.**—(1) The course of instruction in the faculty of arts shall be apportioned between the University and *University College* as follows:—(1) In the University instruction shall be given in mathematics, physics, astronomy, geology, *mineralogy*, chemistry, biology, physiology, history, entomology, comparative philology, History of philosophy, psychology, logic, metaphysics, education, political science, including political economy, jurisprudence and constitutional law, and constitutional history, and in such other subjects as the Senate may by statute from time to time determine. Instruction shall also be given in law, medicine and applied science and engineering, which shall continue as separate faculties. R.S.O. 1897, c. 298, s. 5 (1) (5), amended.

Subjects of instruction in the College.

(2) In *University College* instruction shall be given in Greek, Latin, Ancient History, English, French, German, Italian, Spanish, Oriental Languages and *Ethics*, and in such other subjects (except theology) as by regulation made in that behalf may be determined by the statute of the Senate. R.S.O. 1897, c. 298, s. 78, amended.

(3) The curriculum in Arts of the University shall include the subjects of Biblical Greek, Biblical Literature, Christian Ethics, Apologetics, the Evidences of Natural and Revealed Religion and Church History, but any provision for examination and instruction in the same shall be left to the voluntary action of the federated universities and colleges; and provision shall be made by a system of options to prevent such subjects being made compulsory upon any candidate for a degree. R.S.O. 1897, c. 298, s. 5 (3).

Theological options.

(4) The subjects assigned by this Act to the University and *University College* respectively, shall not be transferred from one to the other, except with the unanimous consent of the Senate, expressed at a special meeting called for the consideration of such transfer, of which at least one month's notice shall be given nor until such consent has been concurred in by the Lieutenant-Governor in Council. R.S.O. 1897, c. 298, s. 88

Transfer of subjects assigned to the University and to the College.

**25.**—(1) All students proceeding to a degree in arts at the University, except in cases specially provided for by statute of the Senate, shall be enrolled in *University College* or in a federated or an affiliated college or in a federated university. R.S.O. 1897, c. 298, s. 80.

Students to be enrolled.

(2) Attendance upon instruction provided in any federated university or college or affiliated college, school or institution, including *University College*, shall be equivalent to attendance at the University as a condition of proceeding to a degree or for the purpose of competing for any *University* certificate of honour or scholarship therein. R.S.O. 1897, c. 298, s. 39 (4).

(3) Every graduate's diploma or student's certificate of Attendance, standing in addition to being signed by the proper university authorities in that behalf shall indicate the federated university, or college, or affiliated college in which such graduate or student was enrolled at the time of his graduation or examination and shall be signed by such professors, teachers and officers of the federated university or college, or affiliated college, as the governing body thereof may determine. R.S.O. 1897, c. 298, s. 39 (2).

(4) No student enrolled in any federated university or in any federated or affiliated college (including University College) shall be allowed to present himself for any University examination, subsequent to matriculation, without producing a certificate, that he has complied with the requirements of such federated university or federated or affiliated college, affecting his admission to such examination. R.S.O. 1897, c. 298, s. 39 (3).

#### THE SENATE.

**26.** The senate of the University shall be composed as follows:— Certificate required.

(1) The Minister of Education, the chancellor, the president of the University, the principal of University College, the president or other head of each federated University or federated College, the deans of the faculties of law, medicine and applied science and engineering and all persons who at any time have held the office of Chancellor or Vice-Chancellor of the University, shall be *ex-officio* members of the senate. R. S. O., 1897, c. 298, s. 11 (1). (*Amended.*)

(2) The professors and associate professors of the University shall appoint representatives to the senate in the following manner, that is to say:—(a) The professors and associate professors in arts and law shall from among themselves appoint 4 members; (b) the professors and associate professors in medicine shall from among themselves appoint 2 members; (c) the professors and associate professors of the faculty of applied science and engineering shall appoint from among themselves one representative; (d) the professors and associate professors in University College shall appoint 1 member, but no professor or associate professor of the University shall be appointed representative of University College; (e) the Law Society of Upper Canada, the governing body of every federated or affiliated College or school in this Province now entitled to appoint a representative may, subject to any statute of the University in that behalf, each appoint one member. (*New.*) Ex-officio members.

(5) The graduates in arts of the University who, at the time of graduation, were enrolled in University College

may elect 12 members; the graduates in arts and science of Victoria University and the graduates in arts of the University who, at the time of graduation, were enrolled in Victoria College may elect 5 members; the graduates in law may elect 2 members; the graduates in medicine may elect 4 members; the graduates in applied science and engineering may elect one member. Persons holding certificates as high school principals or assistants who are actually engaged in teaching, may elect 2 members as hereinafter provided. R. S. O., 1897, c. 298, s. 11 (3), (4), (7). *Amended.*

Federating  
University  
to elect  
proportionate  
number of  
representa-  
tives.

(6) In the case of any University hereafter federated with the University, such federated University shall be entitled to be represented on the senate in the proportion of one representative for every one hundred graduates in arts. Any fraction of one hundred over one-half shall entitle the federated University to an additional representative, provided that the number of such representatives shall in no case exceed five.

(7) All appointments and elections to the senate shall be for a period of three years and until their successors are appointed or elected. In case of vacancy from any cause, such vacancy shall be filled by the body possessing the power of appointment subject to this Act and in the case of a member elected by the graduates shall be filled by the senate and the persons appointed or elected to fill such vacancy shall hold office for the remainder of the term. *New.*

#### LIST OF VOTERS AT SENATE ELECTIONS.

List of persons  
entitled to  
vote.

27. For the purposes of all elections aforesaid at which graduates of any federated University are entitled to vote, the registrar of such University shall on or before the first day of June in each year in which an election of representatives by graduates of such University is to be held, furnish to the registrar of the University for the purpose of enabling him to make out the election register, a list of the names of all graduates of such University who are entitled to vote, with their post office addresses. R. S. O. 1897, c. 298, s. 14.

Election  
register.

28.—(1) The registrar of the University shall triennially, after commencement when degrees are conferred, in every year in which an election is to take place make an alphabetical list or register, to be called "The Election Register," of the names and known addresses of the members of convocation, who are entitled to vote as such members; and such register may be examined by any member of convocation at all reasonable times at the office of the said registrar. The persons only whose names appear on the election register shall be entitled to vote as members of convocation. R. S. O., 1897, c. 298, ss. 15, 13.

(2) The registrar in preparing the election register hereinbefore mentioned shall make separate lists of the graduates in arts of the University enrolled in University College, and of the graduates of any federated University, including graduates of the University enrolled a federated University, and shall also make separate lists of the graduates in medicine, of the graduates in law, <sup>and</sup> and of the graduates in applied science and engineering, <sup>and</sup> and of all principals and assistants in high schools and collegiate Institutes (the last mentioned list to be supplied by the Education Department) and such lists shall be the voters' lists for all elections to the senate. R. S. O., 1897, c. 298, s. 11 (6) (*Amended*).

(3) The graduates in arts of the University enrolled in University College, and the graduates in arts of any federated University, including the graduates of the University enrolled in any federated University, shall vote as separate bodies. Graduates in medicine of the University and of any federated University shall vote as one body, and a similar rule shall apply to graduates in law. R. S. O. 1897, c. 98, s. 11 (4) (5). (*Amended*). Errors.

(4) In case any person who considers himself entitled to be entered upon any of the said lists complains to the registrar in writing, of the omission of his name or of any error in the lists, or any of them, it shall be the duty of the registrar forthwith to examine into the complaint and to rectify the error if any there be, subject at all times to an appeal to the Chancellor or vice-Chancellor. R.S.O., 1897, c. 298, s. 15 (2). (*Amended*). How corrected.

#### NOMINATION OF CHANCELLOR AND MEMBERS OF SENATE.

**29.**—(1) The Chancellor and such persons as are candidates for the senate shall be nominated by nomination papers, signed by at least ten members of convocation, and such nomination papers shall be delivered at the office of the registrar, on or before the first Wednesday in September in any year in which an election is held. R. S. O., 1897, c. 298, s. 16 (1). Nomination papers.

(2) In case only one candidate is nominated within the time herein mentioned for receiving nomination papers for the office of chancellor, or in case no more than the number of representatives which the graduates are entitled to elect are nominated as provided by this Act the registrar shall report to the senate the names on such nomination papers at its next meeting, and the persons so nominated shall be entitled to the offices for which they were respectively candidates. R. S. O. 1897, c. 298, s. 16 (2). Unanimous election.

(3) <sup>22</sup>Where an election is necessary the registrar shall send by post, <sup>23</sup> on or before the second Wednesday in September, the form of voting paper in the schedule of this Act to all members of convocation and to *all* other persons whose names are entered upon any of the lists hereinbefore mentioned where List of members of senate to be sent with list of voters.

residences *as known*, together with the lists of all candidates nominated by ten members, and also a list of the retiring members, and the voting for members of the senate shall be limited to the persons who have been so nominated. R. S. O. 1897, c. 298, s. 16 (3).

MODE OF ELECTION TO THE SENATE.

- How votes are to be given.** **30.**—(1) The votes at an election for Chancellor and for members of the senate respectively, shall be given by closed voting papers, and such voting paper shall be delivered to the registrar of the University, at his office between the hours of ten o'clock in the forenoon and four o'clock in the afternoon, on any day between the second Wednesday of September and the first Wednesday of October (*both days inclusive*) in each year in which an election is held; and any voting papers received by the registrar by post during the time aforesaid, shall be deemed as delivered to him for the purpose of the election. R. S. O. 1897, c. 298, s. 17.
- Opening voting papers.** (2) The voting papers shall, upon the Thursday after the first Wednesday of October, be opened by the registrar of the University, <sup>and</sup> with such assistants as may be necessary <sup>in</sup> in the presence of the scrutineers, to be appointed as hereinafter mentioned, who shall examine and count the votes, and keep a record thereof in a proper book to be provided by the senate. Any person entitled to vote at the election may be present at the opening of the voting papers. <sup>and</sup> No voting paper shall be counted which has not been furnished by the registrar. R. S. O. 1897, c. 230, ss. 18, 21.
- Appointment of scrutineers.** (3) The senate of the University or, in default, the chancellor, shall, at least two weeks previous to the election, appoint two persons who, with the vice-chancellor, shall act as scrutineers at the next ensuing elections; and the senate or, in default, the chancellor, shall appoint a member of the senate, who shall act for and as the vice-chancellor, should he be absent from the election. R.S.O. 1897, c. 298, s. 24.
- Informal voting papers.** (4) In the event of any elector placing more than one name on his voting paper for chancellor, or more than the required number on his voting paper for members of the senate, the first name only shall be taken for chancellor, and the first names only, not exceeding the required number, shall be taken for the members of the senate. R.S.O. 1897, c. 298, s. 25.
- Declaration of result of election.** (5) Upon the completion of the counting of the votes and of the scrutiny, the vice-chancellor, or other person acting as and for him, shall declare elected as chancellor and members of the senate respectively the candidates who had a majority of the votes cast, and shall, as soon as conveniently may be, report the same in writing signed by himself and by the scrutineers, to the senate and to the Secretary of the Province. R.S.O. 1897, c. 298, s. 19, 20, 23.

(6) In case of an equality of votes between two or more persons, which leaves the election of the chancellor, or of one or more members of the senate, undecided, then the scrutineers shall forthwith put into a ballot box a number of papers with the names of the candidates respectively having such equality of votes written thereon, one for each candidate, and the registrar of the University, shall draw from the ballot-box, in the presence of the scrutineers, one of the papers in the case of the election of chancellor, and one or more of the papers in the case of the election of members of the senate, sufficient to make up the required number, and the persons whose names are upon the papers so drawn shall be respectively the chancellor and the members of the senate. R.S.O. 1897, c. 298, s. 22.

Equality of votes.

(7) In case of a vacancy in the office of chancellor, before the expiration of his term of office, then, at a special election to be held for that purpose (of which notice shall be given in such manner as may be provided by statute of the senate), the members of convocation shall elect a chancellor for the remainder of the term, <sup>and</sup> provided always that if the vacancy occurs in the last year of the term the senate shall elect a chancellor for the remainder thereof at a special meeting called for that purpose. R. S. O. 1897, c. 298, s. 9 (3).

Vacancy in the office of chancellor, how filled.

(8) In case a vacancy <sup>in</sup> the senate shall occur by <sup>the</sup> death, resignation, removal from the Province or from any other cause of any member of the senate elected by convocation before the expiry of his term of office, the senate shall thereupon appoint, from amongst the members of convocation, another member of the senate for the remainder of the term. R. S. O. 1897, c. 298, s. 27.

Vacancies in senate, how filled.

**31.** The chancellor shall have the right to preside at all meetings of the senate, but in the event of his waiving his right to preside, the vice-chancellor shall preside. In the absence of both the senate shall appoint a chairman. Five members shall form a quorum. R.S.O. 1897, c. 298, ss. 33, 34.

Chancellor or vice-chancellor to preside.

Quorum.

**32.—(1)** The senate shall, at its first regular meeting after the ordinary triennial elections, elect from among its members <sup>and</sup> a vice-chancellor who shall hold office for three years and until his successor is appointed. R. S. O. 1897, c. 298, s. 10.

Election of vice-chancellor.

(2) In case of a vacancy in the office of Vice-Chancellor, before the expiration of his term of office, the senate shall, at a meeting to be held for that purpose, as soon as conveniently may be, elect a Vice-Chancellor for the remainder of the term. R. S. O. 1897, c. 298, s. 10 (3).

Vacancies to be filled up by the senate.

#### POWERS OF THE SENATE.

**33.** The Senate shall have power to make statutes—

Powers of Senate.

(1) For carrying out the academic work of the University and *University* College, including the courses of study, <sup>and</sup> the

publication of the calendars of the University and University College, the conduct of examinations, the granting of degrees and certificates of proficiency, the establishing and awarding exhibitions, scholarships and prizes, the regulation of its proceedings, the fixing the duties of the librarian and registrar, and other officers subject to the control of the Senate, and, in general, for promoting the interests of the University and University College or for any purpose for which provision may be required for carrying out this Act. *New.*

Affiliation.

(2) For the affiliation of any college, school or other institution established in this Province for the promotion of science or art, or for instruction in law, medicine, engineering, agriculture, or other useful branch of learning, and for the dissolution of such affiliation or the modification or alteration of the terms thereof. R.S.O. 1897, c. 298, s. 53 (1), (2), *amended.*

Statutes to be subject to approval of visitor.

34. A certified copy of every statute providing for the course of studies for the affiliation of any college, school or other institution, for providing for theological options or for the withdrawal of land from sale or lease shall be transmitted to the Minister of Education within ten days after the passing thereof, to be laid before the Lieutenant-Governor in Council for his approval: and no statute shall have force or effect until such approval has been signified through the Minister of Education. R. S. O. 1897, c. 298, s. 42.

Senate to report to the Lieutenant-Governor.

35. The Senate of its own motion may, or when required by the Lieutenant-Governor, shall enquire into the conduct, teaching and efficiency of any professor or instructor in the University or University College or into the general condition and progress of the University or University College, and shall report to the Lieutenant-Governor the result of its enquiry, with such recommendations as may be deemed expedient. R. S. O. 1897, c. 298, s. 46.

#### CONVOCATION.

Convocation of whom to consist.

36. Convocation shall consist of the graduates of the University of Toronto and of all federated Universities, and every graduate shall be a member of convocation. *Ad eundem* degree shall not, without the consent of convocation, entitle the holder thereof to become a member of convocation. R. S. O. 1897, c. 298, ss. 12, 37.

37. Convocation shall have power:

Powers of convocation.

(1) To elect a chairman, who will hold office for three years, or until his successor is appointed. The members of convocation may elect any person to preside *pro tem* in the absence of the chairman. Secs. 60 (1), 64, 65.



(2) To consider all questions affecting the well-being and prosperity of the University, and to make representations from time to time on such questions to the Senate of the University, who shall consider the same and return to convocation their conclusions thereon. Sec 60 (2).

(3) To *determine* the mode of conducting and registering the proceedings of convocation: to appoint and remove the clerk of convocation, and prescribe his duties; and require a fee to be paid by members of convocation as a condition of being placed on the register of members. Sec. 60 (5) (6) (7).

(4) Convocation shall meet at such times and places as may be ordered by the senate, or by the executive committee of convocation, and it shall be the duty of the senate to provide a place for *its* meetings. Notice of all meetings shall be given in such manner as the senate, or executive committee may determine. The proceedings of any meeting of convocation shall be transmitted to the senate at the next following meeting of the senate. Sec. 60 (8), 63.

(5) All questions which come before convocation shall be decided by a majority of the members present, in such manner as may be provided by any resolution or by-law of convocation. The chairman shall have one vote, and in case of equality of votes, a second or casting vote. No question shall be decided at any meeting of convocation, unless thirty members at least are present. R. S. O. 1897, c. 298, ss. 66, 67. Questions before convocation how decided.  
Quorum.  
(*Amended*).

(6) If twenty-five or more members of convocation shall by writing under their hands, require the chairman for the time being of convocation to convene an extraordinary meeting of convocation, and such requisition shall express the object of the meeting required to be called, the chairman shall within a reasonable time, convene such meeting of convocation. No matter shall be discussed at any such extraordinary meeting, except the matter or matters, for the discussion whereof it was convened. R. S. O. 1897, c. 298, ss. 61, 62. Extraordinary meetings of convocation. What may be discussed.

#### UNIVERSITY COUNCIL.

**38.**—(1) For the purposes hereinafter mentioned, there shall be established a Council composed of the president of the University who shall be chairman thereof, <sup>and</sup> the senior professor in each department of the several faculties of the University, <sup>and</sup> the principal of *University College*, the principal of each federated University or federated College, and the librarian of the University. (*New*). Academic Council, how composed.

(2) The Council shall have power, to deal with all matters affecting the discipline of students in attendance at the University; to control all associations of students in the University and to decide finally what are University Associations; to determine, after conference with the authori-

Powers of  
council.

ties of affiliated institutions, the time-tables, lectures and laboratory work of the University; to grant dispensation from the lectures and laboratory work of the University and Colleges upon the report of the professors in the faculties concerned: to authorize such lecturing or teaching in the University by others than the duly appointed professors and teachers as they may deem expedient, and to prevent all lecturing or teaching not so authorized. The registrar of the University shall be registrar of the council. (*New.*)

## POWERS OF PRESIDENT.

Powers of  
President.

**39.** It shall be the duty of the president to make arrangements with respect to University examinations for which no provision has been made by the Senate; to call <sup>from</sup> time to time of his own motion or on the request of at least five professors meetings of the professors and associate professors of one or more of the faculties of the University with a view to increasing the efficiency of the various departments of University work or other academic purposes and to arrange in conjunction with the heads of the different departments the appropriate duties of all assistant instructors; to exercise such supervision over the buildings, grounds and apparatus as will ensure their lawful use and protection; to suspend any curator, laboratory assistant or servant subject to the determination of the trustees; to exercise such general executive powers (not otherwise provided by this Act) as are necessary to the efficiency and good government of the teaching departments of the University and the advancement of their interests; and to report annually to the Lieutenant-Governor upon the progress and efficiency of the University, making such suggestions and recommendations as he may deem expedient. (*New.*)

<sup>of</sup> UNIVERSITY <sup>of</sup> COLLEGE COUNCIL.

Powers of.

**40.**—(1) For the purposes hereinafter mentioned there shall be established a Council of <sup>of</sup> University <sup>of</sup> College which shall be composed of the principal and the professors and associate professors of the College.

(2) Save as herein otherwise provided <sup>of</sup> University <sup>of</sup> College shall be under the direction and management of the Council. The principal or in his absence the senior member present shall preside at meetings of the Council. Five members of the Council shall be a quorum. The Council may make by-laws, rules and regulations for the direction and management of the College, and shall have full authority over and entire responsibility for the discipline of the undergraduates in relation to the lectures and other instruction of the professors, lecturers and other teachers of the College, and no lecturing or teaching of any kind shall be carried on in the College by any other than the duly appointed professors and teachers without the authority of the Council. *New.*

42<sup>r</sup> POWERS OF PRINCIPAL OF UNIVERSITY COLLEGE. 534

41. It shall be the duty of the principal of <sup>the</sup> University <sup>College</sup> to call meetings of the professors and associate professors of the college from time to time with the view of increasing the efficiency of the various departments of college work and to arrange in conjunction with the heads of the different departments the appropriate duties of all assistant instructors in the college and to exercise such supervision over the instruction given in the college as will promote efficiency and the good government of the college. He shall have power to exercise such discipline over the students, officers and servants of the college as may be requisite for order and efficiency. *New.*

THE QUEEN'S PARK.

42. Whereas the bursar of the University was by section 66 of chapter 62 of the Consolidated Statutes for Upper Canada authorized to demise at a nominal rent, for a period of nine hundred and ninety-nine years, to the corporation of the City of Toronto, in trust for the purposes of a park, as well as for the use of the professors students and other members of the University, as of the public generally, and for no other purpose whatsoever, so much of the land then vested in Her late Majesty Queen Victoria now vested in the said board of trustees as aforesaid, situated within or adjacent to the limits of the said city, as the said chancellor, vice chancellor and members of the Senate of the University might by by-law approved of by the Governor-in-Council, set apart for such purposes not exceeding in the whole fifty acres, and upon such terms and conditions as had been or might after the said Act took effect, be agreed upon between the said University and the council of the said corporation; and whereas in pursuance of such powers, the said bursar made such lease as aforesaid:—Therefore it is enacted that, so long as the said lease remains in force, the land so demised, shall be deemed to be and shall be taken to form a part of the said City of Toronto: and the residue of the lands so vested in Her late Majesty, but now vested in the said board of trustees as aforesaid, adjacent to the said park, shall be subject to all the police regulations of the said City of Toronto and to all by-laws of the said city in that behalf. R.S.O., 1897, c. 299, s. 21.

Lease to City of Toronto of land for a park.

Land so leased to be part of the city and residue of University lands adjacent to be subject to city's police regulations and by-laws.

TRINITY UNIVERSITY.

43. Should the Senate of Trinity University on or before the 1st day of January, 1904, notify in writing the *Provincial Secretary* that Trinity University has decided to federate with the University, all sections of this Act relating to the federation of Universities with the University shall apply to Trinity University, together with the following special provisions:

Federation of Trinity University.

(1) The graduates in medicine and law of Trinity University shall vote for members of the Senate with the graduates of the University in medicine and law respectively.

(2) The undergraduates and graduates of Trinity University at the date of the proclamation hereinafter referred to, proceeding to their first or higher degrees shall be allowed to proceed to their degrees <sup>as</sup> within ten years <sup>as</sup> under the regulations in force at Trinity University at the time of their matriculation.

(3) Lectures by instructors in the University may be delivered in Trinity University upon such terms as may be agreed upon <sup>as</sup> between the Corporation of Trinity University and the Council of the University <sup>as</sup> until new buildings are provided by Trinity University.

(4) A site in or near the Queen's Park <sup>as</sup> on the lands hereby vested in the trustees shall be reserved <sup>as</sup> for new buildings for Trinity University shall be reserved as may be agreed upon between the trustees and the Corporation of Trinity University. Such site shall be occupied by Trinity University free of ground rent and all other charges so long as Trinity University remains federated, but in the event of the withdrawal of Trinity University from federation then said site shall be paid for at a valuation to be determined by arbitrators, one to be appointed by the trustees and one by the Corporation of Trinity University. In the case of disagreement <sup>as</sup> a Judge of the High Court <sup>as</sup> shall appoint a third arbitrator.

Proclamation  
by Lieutenant-Governor.

(5) Upon receiving the notification aforesaid the Lieutenant-Governor may issue his proclamation declaring Trinity University to be federated with the University and thereupon this Act shall be deemed to apply to Trinity University as a University federated with the University.

Commission  
to consider  
matters con-  
nected with  
federation of  
Trinity  
College.

<sup>as</sup> 44. On the written request of the corporation of Trinity University the Lieutenant-Governor-in-Council may appoint a commission of three persons, one of whom shall be a member of the corporation of Trinity University, another a member of the senate of the University and the third a judge of the high court, who shall have power subject to the provisions of this Act to consider such matters as may be necessary for determining a basis of agreement and settle the terms of such agreement between the corporation of Trinity University and the University as to the selection of a site for the necessary buildings of Trinity University, for any adjustment of the course of studies, the payment of fees and all other matters which may be in the interest in the parties concerned in the ultimate federation of Trinity University with the University.

(2) The said commission may also consider the terms and conditions on which Trinity Medical College may federate with the Medical Department of the university. <sup>as</sup>

227(3) On the proclamation of such agreement by the Lieutenant-Governor, Trinity University or Trinity Medical College or either of them may be declared federated with the university and in such case Trinity University or Trinity Medical College or either of them shall be entitled to all the privileges of a federated university or federated college under this Act.227

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## SCHEDULE.

(Section . . .)

### FORM OF VOTING PAPER.

*University of Toronto,*

*Election,* 19 . . .

I . . . resident at . . . in the  
county of . . . do hereby declare :

(1) That the signature affixed hereunto is my proper handwriting.

(2) That I vote for the following person (or persons) as chancellor or as members of the Senate (*as the case may be*) of the University of Toronto, viz., . . . of . . . in the county of . . . etc., etc.,

(3) That I have not in this election signed any other voting paper as a graduate of the Faculty of Arts (*or Medicine, or Law, or as Headmaster or Assistant of a High School, as the case may be*).

(4) That this voting paper was executed on the day of the date hereof.

(5) That I vote in my right as graduate of . . . University, *or* Headmaster, *or* Assistant master of a High School (*as the case may be*).

Witness my hand this . . . day of . . . , A.D. 19 . . .

R.S.O., 1897, c. 298, *Sched.*

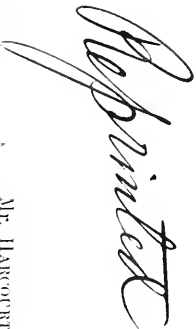
No. 176.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

An Act respecting the University of Toronto  
and University College.

First Reading, 21st March, 1901.



MR. HARGREAVES.

TORONTO:

PRINTED BY L. K. GAMMON,  
Printer to the King's Most Excellent Majesty.

An Act respecting the University of Toronto and  
University College.

**H**IS MAJESTY, by and with the advice and consent of the  
Legislative Assembly of the Province of Ontario enacts  
as follows:—

**1.** This Act shall be known *and may be cited* as *The Uni-* short Title.  
*versity Act, 1901.*

**2.** Where the words following occur in this Act they  
shall be construed in the manner hereinafter mentioned unless  
a contrary intention appears:

(a) "The University" shall mean the University of Toronto.

(b) "The trustees" shall mean the trustees of the Univer-  
sity of Toronto.

**3.**—(1) The University of Toronto and University College, are University  
and College  
continued.  
and each of them is hereby continued and, subject to the pro-  
visions of this Act, shall have, hold, possess and enjoy all the  
rights, powers and privileges which they respectively now  
have, hold, possess or enjoy.

(2) If and when a proclamation to that effect shall be issued  
by the Lieutenant-Governor the name of the Uni-  
versity shall be changed to and the University  
shall be known as "The University of Ontario"  
from and after a date to be named in the procla-  
mation for the change taking effect.

(3) Such proclamation shall not be issued unless and until a  
statute of the Senate approving of the change  
shall have been passed by a vote of at least three-  
fourths of the members thereof present at a meet-  
ing called for the purpose of considering the ques-  
tion of making such change.

**4.** The Lieutenant-Governor shall be the visitor Lieutenant  
Governor to be  
visitor.  
*of the Crown* of the University and of *University College*, and  
his visitatorial powers may be exercised by commission, and  
the proceedings of any commission, having been first confirmed  
by Order-in-Council, shall be binding on the University and  
College, and their members and all other persons whomsoever.  
R. S. O. 1897, c. 298, ss. 4, 70.

## PART I.—PROPERTY AND INCOME.

Board of trustees.

5 The property *and financial affairs and business* of the University and *University College* shall be managed by a board of trustees consisting of the chancellor, the vice-chancellor *and* the president of the University, the principal of *University College* and *five* persons appointed by the Lieutenant-Governor in Council. *New.*

Board of trustees incorporated.

(2) *The* board of trustees shall be a body corporate under the name and style of the "Trustees of the University of Toronto" with power to hold lands subject to this Act for the purposes of the University and *University College* without license of Mortmain. *New.*

Property vested in Corporation.

6 All property and effects real and personal now vested in the Crown in trust for the purposes of the University and *University College*, and all other property and effects now owned by or held in trust for the University or *University College*, or either of them or to which the University or *University College* is entitled,<sup>52</sup> and the property in the City of Toronto forming the block of land lying between King, Adelaide, Simcoe and John streets, and being the former site of Upper Canada College, shall be, and they are hereby vested in the Trustees for the purposes of the University and *University College* subject to the provisions of this Act. *New.*

<sup>52</sup>(a) All property real and personal which is hereby vested in the trustees or shall hereafter become vested in them shall for the purposes and within the meaning of *The Assessment Act* be deemed to be vested in the trustees and for the public uses of the Province, and notwithstanding the vesting of the said property and effects, real and personal, in the said body corporate, such property and effects shall remain exempt from taxation in the same manner and to the same extent as such property was heretofore exempt by virtue of being vested in the Crown for the purposes of the University and *University College*.<sup>52</sup>

<sup>52</sup>(c) The estate or interest of any Lessee or occupant or his assignee of any property in and about the Queen's Park or upon any of the avenues or approaches thereto, as defined by the Statute of Ontario, 52 Victoria, Chap. 53, and who became such lessee or purchaser or occupant before the 23rd day of March, 1889, shall not be liable to assessment for any local improvements whatsoever, but nothing in this sub-section contained shall affect pending litigation.<sup>52</sup>

<sup>52</sup>(d) No real estate or any interest therein so vested in the trustees under the aforesaid Act shall be liable to be



expropriated by any municipality, corporation or person for any purpose whatsoever without the consent of the trustees, nor shall any dedication heretofore made for any purpose by or for the Crown of any lands held for the purposes of the University or University College be construed to prejudice in any manner whatsoever the rights and privileges of such lands as Crown lands, but such rights and privileges shall remain in full force and effect. <sup>78</sup>

(2) All such property and the purchase money of any *part* <sup>Permanent Fund.</sup> thereof which may be sold and the principal of all money invested shall be deemed permanent property and shall not except as hereinafter provided be diminished or expended but shall remain as a permanent fund for the support and maintenance of the University and *University College* and for the purposes of this Act. R. S. O. 1897, c. 299, ss. 1, 12, *amended*.

(3) All property real and personal which may hereafter be <sup>Future Property.</sup> granted, devised or bequeathed to or for the University or *University College* shall be vested in the Trustees in trust for the purposes and support of the University and *University College* subject to the provisions of this Act and to the terms of the grant, devise or bequest. *Nov.*

(4) The income from the permanent fund, the rents, issues and profits and interest or dividends from all property real and personal *of or* held for the benefit of the University and *University College* except property touching which it has been otherwise *provided* by the donor, together with all fees, <sup>Income Fund</sup> ~~and~~ which the trustees are authorized to impose <sup>shall</sup> form an income fund which shall be at the disposal of the trustees for the purpose of the University and *University College* and the trustees may in their discretion from time to time use any surplus for creating a contingent fund or add such surplus to the permanent fund of the University and *University College*. R. S. O. 1897, c. 299, ss. 11 and 18, *amended*.

<sup>427</sup> 1.—(1) A separate account of the proceeds of sales of the lands set apart for the University under the provisions of c. 59 of the Acts passed in the 60th year of Her Late Majesty Queen Victoria shall continue to be kept by the proper officers and departments and yearly accounts thereof rendered to the University and all moneys derived from such sales shall be paid over to the trustees free from all charges or deductions for management or otherwise and shall be applied and used as part of the Income fund, in the last preceding subsection mentioned. <sup>78</sup>

<sup>427</sup> 2) The sum of \$7,000 annually paid by the Province to the University under the provisions of the Act mentioned in the last preceding subsection shall continue to be paid to the Trustees and said sum shall form part of the Income fund. <sup>78</sup>

General  
powers of  
Board of  
Trustees.

8. The trustees shall have the power of appointment and removal of the bursar and his assistants *and* clerks and *of* all other officers and servants of the University and *University* College employed in or about the premises or grounds of the said University or *University* College, and shall have the control, management and government of the property, endowment funds, and all other assets, income and revenues of the said University and *University* College and shall have power from time to time to make by-laws, rules and regulations not contrary to law or the provisions of this Act for the management of the said property, endowment funds and all other assets, income and revenues of the University *and University* College and of fixing the salaries of the president,<sup>427</sup> of the University the <sup>428</sup>principal<sup>429</sup> of *University* College and the<sup>430</sup> professors and all other teachers in the University and *University* College and of the librarian, registrar, bursar, officers and servants from time to time and also as to matters pertaining to the meetings, *and* transactions of the trustees and shall have power to fix the quorum necessary for meetings of the trustees and to act by such committees as they may deem proper to appoint from time to time. *Nov.*

Special  
Powers of  
Trustees.

<sup>431</sup>9. Without thereby limiting<sup>432</sup> the general powers hereinbefore conferred, <sup>433</sup>it is declared that<sup>434</sup> the trustees shall have the following powers:

Management  
of Endow-  
ment.

(1) They shall have the management of all property of the University and *University* College.

Investments.

(2) They may (subject always to the limitations of any trust as to the same) invest *the* endowment and permanent funds and all moneys which may come into their hands for the purposes of the University or *University* College, in any securities in which a trustee may by the law of this Province <sup>435</sup>invest trust moneys.<sup>436</sup> *Nov.*

Sales and  
Leases.

(3) They may *sell* any part of the <sup>437</sup>lands vested in them or lease the same<sup>438</sup> for any period of time not exceeding 42 years with *right* of further renewals and with the usual clauses appertaining to building leases and renewals; <sup>439</sup>but this provision shall not extend, except as to lands now under lease, to any lands which the Lieutenant-Governor may declare to be required for the accommodation of the University or *University* College or necessary to be retained for or in connection with the extension thereof.

<sup>440</sup>(3a) They may lease any part of the said property as aforesaid under the said terms and conditions to<sup>441</sup> or may set apart and appropriate for the use of<sup>442</sup> any duly incorporated society of under-graduates and they may invest any portion of the said endowment and permanent funds or any moneys which shall or may come into their hands as aforesaid in a loan to any such incorporated society for the purpose of the erection of any buildings of any such society. Such loan

shall not be subject to the provisions of the "Trustees Investment Act" but may be made on such terms and conditions as to the trustees may seem fit.<sup>27</sup>

(4) They shall fix the fees for post graduate instruction; for **Fixing fees.** instruction in law and in medicine; the fees to be paid by regular and occasional students for enrolment in University College, and by occasional students for enrolment in the University; the library fees; the laboratory fees and the fees for examinations, degrees and certificates.

(5) When a federated college by arrangement with the *University Council*, teaches any part of the Arts course, the trustees may make a reduction in the fees of students taught in such college so as equitably to adjust the same.<sup>28</sup>

(6) They may from time to time authorize such permanent **Improvements** improvements <sup>of and in the property and additions to</sup> the buildings of <sup>the University and University College including</sup> the erection and equipment of such new buildings as may be necessary and may direct the cost thereof to be paid out of the funds of the University and University College; provided, however, that every Order-in-Council approving of the by-law, rule or regulation *authorizing such expenditure*, shall as soon as conveniently may be after the making of the same be laid before the Legislative Assembly of the province of Ontario for its ratification or rejection and no such by-law, rule or regulation shall be operative unless and until *such Order-in-Council* has been ratified by the Legislative Assembly. R.S.O. 1897, c. 299, s. 19.

(7) They shall require the *proper* officers of the University and University College on or before the first day of July in each year, to submit estimates of the probable sums of money required for *defraying the cost of the management* of the funds of the University and University College, for the payment of salaries, the maintenance of the University and University College, the expenses of the Senate, of the University in the faculties of arts, law and medicine, and of University College and all other necessary and proper expenditure, and the trustees shall make the annual appropriations out of the income of the University and University College for the next ensuing financial year indicating *when necessary* the officer or committee, as the case may be, to be entrusted with directing the expenditure of such appropriation. Where an appropriation has not been made on or before the first day of October in any year, the Lieutenant-Governor in Council may make the appropriation. *New.* **Annual estimates.**

10. The mortgages or other instruments respecting the investments of the University and University College shall be made to and taken in the name of the Trustees. *New.* **Mortgages to University.**

11. All conveyances, grants, leases or assignments of any lands, <sup>and all statutory or other discharges of mortgages or</sup> **Execution of instruments.**

other securities \* now held in the name of the bursar of the University, or now or hereafter held by or for the University or *University College*, shall be made by the trustees under their corporate name and shall be attested by the seal of the *trustees* and the signatures of the chairman or, some person thereto authorized by the trustees and of the bursar. *New.*

Superannuation.

**12.** The trustees may make regulations *respecting* the retirement and superannuation of the president <sup>22</sup> of the University, the <sup>23</sup> principal <sup>24</sup> of *University College* and of any professor or other teacher in the University or *University College* and of the librarian, registrar, bursar and any officer or servant of the University or *University College*, and any gratuity or superannuation allowance paid under this Act may be paid out of a fund to be provided for that purpose or out of the income as the Trustees shall direct. *New.*

Regulations of trustees to be submitted to Lieutenant-Governor-in-Council.

**13.** Every by-law, rule or regulation of the trustees made under the provisions of section 12 or providing for the annual appropriations or for the appointment or removal of the bursar or any officer whom the trustees are by this Act authorized to appoint or remove, or for fixing salaries under the powers conferred by section 8, or for fixing the fees under sub-section 4 of section 9, or for determining the classes of investments to be made by the trustees, and every general by-law, rule or regulation for governing their proceedings, shall be submitted to the Lieutenant-Governor in Council for approval, and shall have no force or effect until such approval is signified in writing to the trustees.

Professorships may be founded by private parties, and how.

**14.** Any person may *endow* a chair or scholarship in any subject taught in the University or *University College* or may aid in the promotion of the interests of the University or *University College* in any way by providing an endowment for such purpose, subject to such conditions as such person, with the approval of the Lieutenant-Governor-in-Council may prescribe. R.S.O. 1897, c. 298, s. 83, 84.

**15.** Instruction in arts in the University, (*except post graduate instruction*), shall be free to all regular students matriculated in the University, who are enrolled in *University College*, or in a federated university, and who enter their names with the Registrar of the University, but this provision shall not include exemption from laboratory fees.

#### INSTRUCTION IN SCIENCE.

Assistance to Scientific Departments of the University.

**16.** (1) For the purpose of encouraging the study of the mineral and other natural resources of the Province, and for supplying the demand for expert knowledge in engineering and manufactures, the Lieutenant-Governor may from year to year pay out of the consolidated revenue of the Province, the salaries of all <sup>25</sup> professors, lecturers and other <sup>26</sup> instructors in

the departments of Chemistry, Physics, Mineralogy and Geology, and the cost of maintenance of said departments; such payments to be based upon the annual estimates of the trustees as approved by the Lieutenant-Governor in-Council. The first payment under this Act shall apply to the financial year of the University which closes on the 30th June, 1901. (*New.*)

Provided always that from the annual estimates for the salaries in and maintenance of the department of mineralogy and geology the Lieutenant-Governor may deduct the sum of \$3,000, while that sum is payable by the corporation of the City of Toronto for the endowment and maintenance of a chair in that department and the Lieutenant-Governor may from year to year pay out of the consolidated revenue of the Province to the trustees a like sum in lieu of the said \$3,000, and the same when paid shall form part of the *Income Fund* of the University and University College.

17. The Lieutenant-Governor may by Order in Council set apart that portion of the lands (or as much thereof as may be deemed necessary) on the north side of College street in the City of Toronto now held in trust by the Crown for the purposes of the University and University College, known as lots 7, 8, 9 and 10 according to plan registered in the Registry Office for the said City of Toronto as D 18. Such lands shall be used as a site for buildings for the departments of Mineralogy and Geology in connection with the University, and for the extension of the School of Practical Science.

Lands reserved for Scientific Departments.

## PART II. FEDERATION.

18. Any University or College federated with the University or any other school or other institution affiliated with the University, or with a federated University, shall continue so federated or affiliated, subject to any statute of the Senate in that behalf, and to this Act. (*New.*)

Existing federations confirmed.

19. The following institutions are declared to be federated with the University, namely:—Victoria University, Knox College, Wycliffe College, St. Michael's College. The following institutions are declared to be affiliated with the University, namely:—Trinity Medical School, Toronto School of Medicine, Albert College, Ontario Agricultural College, Royal College of Dental Surgeons, School of Practical Science, Toronto College of Music, Women's Medical College, Ontario College of Pharmacy, Toronto Conservatory of Music, Ontario Veterinary College. (*New.*)

Federated and Affiliated Institutions.

20.—(1) Any university in the province of Ontario which suspends its power to confer such degrees as it may be authorized to confer (excepting degrees in theology) shall be entitled to be represented on the Senate of the University as herein-after provided, and shall during the term of the suspension of

Federated University must suspend its power to confer degrees

such power as aforesaid, be known as a federated university, with a right to all the privileges and franchises hereinafter mentioned. R. S. O. 1897, c. 298, s. 6 (1).

Proclamation  
of such  
suspension

(2) When any university in Ontario has decided to suspend its power of conferring degrees as aforesaid, the proper officer thereof shall notify the Provincial Secretary to that effect, and on the receipt of such notice the Lieutenant-Governor in Council may, by proclamation in the *Ontario Gazette*, declare such university to be federated with the University, on and after such date as may be named in the proclamation, and thereupon the power to confer such degrees shall remain in abeyance until proclamation is made to the contrary effect in a similar way. R. S. O. 1897, c. 298, s. 6 (2).

How to  
resume power  
to confer  
degrees.

(3) The power of Victoria University to confer degrees (excepting degrees in theology) heretofore suspended shall remain suspended and in abeyance subject to the provisions of the next succeeding subsection. R. S. O. 1897, c. 298, s. 6 (3).

Status of  
graduates, etc.

(4) Any federated university, before resuming the power of conferring degrees so suspended or held in abeyance shall, through its proper officer, notify the Provincial Secretary of its intention to do so, but such power shall not be exercised for three years after the date of such federation, nor until one year after notice is received as aforesaid, of which notice proclamation shall be made in the *Ontario Gazette*. R. S. O. 1897, c. 298, s. 6 (4).

Affiliated col-  
leges generally

(5) The graduates and undergraduates in arts, science and law of any federated university, and such graduates and undergraduates in medicine as have passed their examinations in the province of Ontario shall, from and after the date of such federation, have and enjoy the same degrees, honours and status in the University as they previously held in the federated university, and shall be entitled, subject to the provisions of this Act, to all the rights and privileges pertaining to such degrees and status, so long as such federation continues. R. S. O. 1897, c. 298, s. 7.

Senate may  
remove from  
federation.

(6) A college affiliated with a federated university shall be deemed to be affiliated with the University, but such affiliated college shall not, nor shall any other college hereafter affiliated with the University, thereby acquire the right of representation on the Senate, unless so declared in a statute of the Senate in that behalf. R. S. O. 1897, c. 298, s. 8 (1).

Academic  
Government  
of the univer-  
sity.

(7) The Senate may by statute remove from federation or affiliation with the University any federated or affiliated college or school which affiliates with or becomes an integral part of any other university exercising university powers other than the power of conferring degrees in theology. R. S. O. 1897, c. 298, s. 8 (3).

### PART III. ACADEMIC MANAGEMENT.

Lieutenant-  
Governor to

21. Subject to the provisions of this Act<sup>21</sup> the academic government of the University shall remain with the chancellor,

vice-chancellor, *and* president of the University, *the* principal of *University* College, *the* professors of the University, and *the* members of the Senate and of Convocation for the time being, and all existing appointments, statutes and regulations affecting the University, shall continue, subject to this Act. R. S. O. 1897, c. 298, s. 2 (2), 3 *amended*.

**22.** The president of the University, the principal of *University* College, the deans of the faculties of law, medicine and *applied science and engineering*, the librarian, the registrar and all professors, and other instructors in the several faculties of the University and *University* College, shall be appointed by the Lieutenant-Governor and shall hold office during pleasure. R.S.O. 1897, c. 298, s. 5 (2), 77.

<sup>22</sup>(2) Nothing herein contained shall be considered as interfering with the rights of any federated university or federated college to make such provision in regard to religious instruction and religious worship for its own students as it may deem proper, and to require the same as a part of its own college discipline.

<sup>23</sup>**23.** No religious test shall be required of any professor, lecturer, teacher, student, officer or servant of the *University* or *University College*, nor shall religious observances, according to the forms of any particular religious denomination, be imposed on them or any of them: but the council of *University* College may make regulations touching the moral conduct of the students and their attendance on public worship in their respective churches or other places of religious worship, and respecting their religious instruction by their respective ministers, according to their respective forms of religious faith, and every facility shall be afforded for such purposes; provided always that attendance on such form of religious observance be not compulsory on any student attending the *University* or *University* College. R.S.O. 1887, c. 230, s. 81. <sup>23</sup>

**24.—**(1) The course of instruction in the faculty of arts shall be apportioned between the *University* and *University* College as follows:—(1) In the *University* instruction shall be given in mathematics, physics, astronomy, geology, *mineralogy*, chemistry, biology, <sup>24</sup>physiology, <sup>24</sup>history, <sup>24</sup>ethnology, comparative philology, Italian and Spanish, History of <sup>24</sup>philosophy, psychology, logic, metaphysics, <sup>24</sup>education, <sup>24</sup>political <sup>24</sup>science, including political <sup>24</sup>economy, <sup>24</sup>jurisprudence, <sup>24</sup>and constitutional law, <sup>24</sup>and constitutional history, <sup>24</sup>and in such other subjects as the Senate may by statute from time to time determine. Instruction shall also be given in law, medicine and <sup>24</sup>applied science and engineering, *which* shall continue as separate faculties. R. S. O. 1897, c. 298, s. 5 (1) (5). *amended*.

(2) In *University* College instruction shall be given in Greek Latin, <sup>24</sup>Ancient History, <sup>24</sup>English, French, German, Oriental Languages and *Ethics*, and in such other subjects (except

theology) as by regulation made in that behalf may be determined by the statute of the Senate. R.S.O. 1897, c. 298, s. 78, *amended*.

(3) The curriculum in Arts of the University shall include the subjects of Biblical Greek, Biblical Literature, Christian Ethics, Apologetics, the Evidences of Natural and Revealed Religion and Church History, but any provision for examination and instruction in the same shall be left to the voluntary action of the federated universities and colleges; and provision shall be made by a system of options to prevent such subjects being made compulsory upon any candidate for a degree. R.S.O. 1897, c. 298, s. 5 (3).<sup>75\*</sup>

Theological options.

(4) The subjects assigned by this Act to the University and *University* College respectively, shall not be transferred from one to the other, except with the unanimous consent of the Senate, expressed at a special meeting called for the consideration of such transfer, of which at least one month's notice shall be given nor until such consent has been concurred in by the Lieutenant-Governor in Council. R.S.O. 1897, c. 298, s. 88

Transfer of subjects assigned to the University and to the College.

**§ 25.**—(1) All students proceeding to a degree in arts at the university except in cases specially provided for by statute of the Senate, shall be enrolled in University College, (in a federated university) or in an affiliated college. R.S.O. 1897, c. 298, s. 80.<sup>76\*</sup>

Students to be enrolled.

(2) Attendance upon instruction provided in any federated university or college or affiliated college, school or institution, including *University* College, shall be equivalent to attendance at the University as a condition of proceeding to a degree or for the purpose of competing for any *University* certificate of honour or scholarship therein. R.S.O. 1897, c. 298, s. 39 (4).

Attendance.

(3) Every graduate's diploma or student's certificate of standing in addition to being signed by the proper university authorities in that behalf shall indicate the federated university, or college, or affiliated college in which such graduate or student was enrolled at the time of his graduation or examination and shall be signed by such professors, teachers and officers of the federated university or college,<sup>77\*</sup> or affiliated college,<sup>78\*</sup> as the governing body thereof may determine. R.S.O. 1897, c. 298, s. 39 (2).

Diploma to be signed.

(4) No student enrolled in any federated university or <sup>79\*</sup>in any federated or affiliated <sup>80\*</sup>college (including <sup>81\*</sup>*University* <sup>82\*</sup>College) shall be allowed to present himself for any University examination, subsequent to matriculation, without producing a certificate, that he has complied with the requirements of such federated university or <sup>83\*</sup>federated or affiliated <sup>84\*</sup>college, affecting his admission to such examination. R.S.O. 1897, c. 298, s. 39 (3).



## THE SENATE.

26. The senate of the University shall be composed as follows:—

Certificate required.

(1) The Minister of Education, the chancellor, the president of the University, the principal of University College, the president or other head of each federated University or federated College, the deans of the faculties of law, medicine and applied science and engineering and all persons who at any time have held the office of Chancellor or Vice-Chancellor of the University, shall be *ex officio* members of the senate. R. S. O., 1897, c. 298, s. 11 (1). (*Amended.*)

(2) The professors and associate professors of the University shall appoint representatives to the senate in the following manner, that is to say:—(a) The professors and associate professors in arts and law shall from among themselves appoint 4 members; (b) the professors and associate professors in medicine shall from among themselves appoint 2 members; (c) every federated college may appoint two members; (d) every federated university may appoint one member; (e) the Law Society of Upper Canada may appoint one member; (f) and the governing body of every affiliated college or school in this Province now entitled to appoint a representative may, subject to any statute of the senate of the university in that behalf, appoint one member.

*Ex officio* members.

(3) The graduates in arts of the University who, at the time of graduation, were enrolled in University College may elect 12 members: the graduates in arts and science of Victoria University and the graduates in arts of the University who, at the time of graduation, were enrolled in Victoria College may elect 5 members; the graduates in law may elect 2 members: the graduates in medicine may elect 4 members; the graduates in applied science and engineering may elect one member. Persons holding certificates as high school principals or assistants who are actually engaged in teaching, may elect 2 members as hereinafter provided. R. S. O., 1897, c. 298, s. 11 (3), (4), (7). (*Amended.*)

(4) In the case of any University hereafter federated with the University, such federated University shall be entitled to be represented on the senate in the proportion of one representative for every one hundred graduates in arts. Any fraction of one hundred over one-half shall entitle the federated University to an additional representative, provided that the number of such representatives shall in no case exceed five.

Federating University to elect proportionate number of representatives.

(5) All appointments and elections of members to the senate shall be for a period of three years and until their successors are appointed or elected. In case of vacancy of an appointed member from any cause, such vacancy shall be filled by the body possessing the power of appointment subject to this

Act, <sup>22</sup> and in the case of a *vacancy of* a member elected by the graduates *such vacancy* shall be filled by the senate<sup>22</sup> and the persons appointed or elected to fill such vacancy shall hold office for the remainder of the term. *New.*

LIST OF VOTERS AT SENATE ELECTIONS.

List of persons entitled to vote.

27. For the purposes of all elections aforesaid at which graduates of any federated University are entitled to vote, the registrar of such University shall on or before the first day of June in each year in which an election of representatives by graduates of such University is to be held, furnish to the registrar of the University for the purpose of enabling him to make out the election register, a list of the names of all graduates of such University who are entitled to vote, with their post office addresses. R. S. O. 1897, c. 298, s. 14.

Election register.

28.—(1) The registrar of the University shall triennially, after commencement when degrees are conferred, in every year in which an election is to take place make an alphabetical list or register, to be called "The Election Register," of the names and known addresses of the members of convocation, who are entitled to vote as such members: and such register may be examined by any member of convocation at all reasonable times at the office of the said registrar. The persons only whose names appear on the election register shall be entitled to vote as members of convocation. R. S. O., 1897, c. 298, ss. 15, 13.

(2) The registrar in preparing the election register hereinbefore mentioned shall make separate lists of the graduates in arts of the University enrolled in University College, and of the graduates of any federated University, including graduates of the University enrolled a federated University, and shall also make separate lists of the graduates in medicine, of the graduates in law,<sup>23</sup> and of the graduates in applied science and engineering<sup>24</sup> and of all principals and assistants in high schools and collegiate Institutes (the last mentioned list to be supplied by the Education Department) and such lists shall be the voters' lists for all elections to the senate. R. S. O., 1897, c. 298, s. 11 (6) (*Amended*).

Errors.

(3) The graduates in arts of the University enrolled in University College, and the graduates in arts of any federated University, including the graduates of the University enrolled in any federated University, shall vote as separate bodies. Graduates in medicine of the University and of any federated University shall vote as one body, and a similar rule shall apply to graduates in law. R. S. O. 1897, c. 98, s. 11 (4) (5). (*Amended*).

How corrected.

(4) In case any person who considers himself entitled to be entered upon any of the said lists complains to the registrar

in writing, of the omission of his name or of any error in the lists, or any of them, it shall be the duty of the registrar forthwith to examine into the complaint and to rectify the error if any there be, subject at all times to an appeal to the Chancellor or vice-Chancellor. R. S. O. 1897, c. 298, s. 15 (2). (*Amended*).

#### NOMINATION OF CHANCELLOR AND MEMBERS OF SENATE.

**29.**—(1) The Chancellor and such persons as are candidates for the senate shall be nominated by nomination papers, signed by at least ten members of convocation, and such nomination papers shall be delivered at the office of the registrar, on or before the first Wednesday in September in any year in which an election is held. R. S. O., 1897, c. 298, s. 16 (1). Nomination  
papers.

(2) In case only one candidate is nominated within the time herein mentioned for receiving nomination papers for the office of chancellor, or in case no more than the number of representatives which the graduates are entitled to elect are nominated as provided by this Act the registrar shall report to the senate the names on such nomination papers at its next meeting, and the persons so nominated shall be entitled to the offices for which they were respectively candidates. R. S. O. 1897, c. 298, s. 16 (2). Unanimous  
election.

(3) <sup>27</sup>Where an election is necessary the registrar shall send by post, <sup>28</sup>on or before the second Wednesday in September, the form of voting paper in the schedule of this Act to all members of convocation and to *all* other persons whose names are entered upon any of the lists hereinbefore mentioned where residences *are* known, together with the lists of all candidates nominated by ten members, and also a list of the retiring members, and the voting for members of the senate shall be limited to the persons who have been so nominated. R. S. O. 1897, c. 298, s. 16 (3). List of mem-  
bers of senate  
to be sent with  
list of voters

#### MODE OF ELECTION TO THE SENATE.

**30.**—(1) The votes at an election for Chancellor and for members of the senate respectively, shall be given by closed voting papers, and such voting paper shall be delivered to the registrar of the University, at his office between the hours of ten o'clock in the forenoon and four o'clock in the afternoon, on any day between the second Wednesday of September and the first Wednesday of October (*both days inclusive*) in each year in which an election is held; and any voting papers received by the registrar by post during the time aforesaid, shall be deemed as delivered to him for the purpose of the election. R. S. O. 1897, c. 298, s. 17. How votes are  
to be given.

(2) The voting papers shall, upon the Thursday after the first Wednesday of October, be opened by the registrar of the University, <sup>27</sup>with such assistants as may be necessary <sup>28</sup>in the presence of the scrutineers, to be appointed as hereinafter Opening vot-  
ing papers.

mentioned, who shall examine and count the votes, and keep a record thereof in a proper book to be provided by the senate. Any person entitled to vote at the election may be present at the opening of the voting papers. <sup>22</sup>No voting paper shall be counted which has not been furnished by the registrar. R. S. O. 1897, c. 230, ss. 18, 21.

Appointment of scrutineers

(3) The senate of the University or, in default, the chancellor, shall, at least two weeks previous to the election, appoint two persons who, with the vice-chancellor, shall act as scrutineers at the next ensuing elections; and the senate or, in default, the chancellor, shall appoint a member of the senate, who shall act for and as the vice-chancellor, should he be absent from the election. R.S.O. 1897, c. 298, s. 24.

Informal voting papers.

(4) In the event of any elector placing more than one name on his voting paper for chancellor, or more than the required number on his voting paper for members of the senate, the first name only shall be taken for chancellor, and the first names only, not exceeding the required number, shall be taken for the members of the senate. R.S.O. 1897, c. 298, s. 25.

Declaration of result of election.

(5) Upon the completion of the counting of the votes and of the scrutiny, the vice-chancellor, or other person acting as and for him, shall declare elected as chancellor and members of the senate respectively the candidates who had a majority of the votes cast, and shall, as soon as conveniently may be, report the same in writing signed by himself and by the scrutineers, to the senate and to the Secretary of the Province. R.S.O. 1897, c. 298, s. 19, 20, 23.

Equality of votes.

(6) In case of an equality of votes between two or more persons, which leaves the election of the chancellor, or of one or more members of the senate, undecided, then the scrutineers shall forthwith put into a ballot box a number of papers with the names of the candidates respectively having such equality of votes written thereon, one for each candidate, and the registrar of the University, shall draw from the ballot-box, in the presence of the scrutineers, one of the papers in the case of the election of chancellor, and one or more of the papers in the case of the election of members of the senate, sufficient to make up the required number, and the persons whose names are upon the papers so drawn shall be respectively the chancellor and the members of the senate. R.S.O. 1897, c. 298, s. 22.

Vacancy in the office of chancellor, how filled.

(7) In case of a vacancy in the office of chancellor, before the expiration of his term of office, then, at a special election to be held for that purpose (of which notice shall be given in such manner as may be provided by statute of the senate), the members of convocation shall elect a chancellor for the remainder of the term, <sup>23</sup>provided always that if the vacancy occurs in the last year of the term the senate shall elect a chancellor for the remainder thereof at a special meeting called for that purpose. <sup>24</sup>R. S. O. 1897, c. 298, s. 9 (3).

(8) In case a vacancy in the senate shall occur by death, resignation, removal from the Province or from any other cause of any member of the senate elected by convocation before the expiry of his term of office, the senate shall thereupon appoint, from amongst the members of convocation, another member of the senate for the remainder of the term. R. S. O. 1897, c. 298, s. 27.

Vacancies in senate, how filled.

31. The chancellor shall have the right to preside at all meetings of the senate, but in the event of his waiving his right to preside, the vice-chancellor shall preside. In the absence of both the senate shall appoint a chairman. *Five* members shall form a quorum. R.S.O. 1897, c. 298, ss. 33, 34.

Chancellor or vice-chancellor to preside.

Quorum.

32.—(1) The senate shall, at its first regular meeting after the ordinary triennial elections, elect from among its members a vice-chancellor who shall hold office for three years and until his successor is appointed. R. S. O. 1897, c. 298, s. 10.

Election of vice-chancellor.

(2) In case of a vacancy in the office of Vice-Chancellor, before the expiration of his term of office, the senate shall, at a meeting to be held for that purpose, as soon as conveniently may be, elect a Vice-Chancellor for the remainder of the term. R. S. O. 1897, c. 298, s. 10 (3).

Vacancies to be filled up by the senate.

#### POWERS OF THE SENATE.

33. The Senate shall have power to make statutes—

Powers of Senate.

(1) For carrying out the academic work of the University and *University* College, including the courses of study, the publication of the calendars of the University and *University* College, the conduct of examinations, the granting of degrees and certificates of proficiency, the establishing and awarding exhibitions, scholarships and prizes, the regulation of its proceedings, the fixing the duties of the librarian and registrar, and other officers subject to the control of the Senate, and, in general, for promoting the interests of the University and *University* College or for any purpose for which provision may be required for carrying out this Act. *New.*

(2) For the affiliation of any college, school or other institution established in this Province for the promotion of science or art, or for instruction in law, medicine, engineering, agriculture, or other useful branch of learning, and for the dissolution of such affiliation or the modification or alteration of the terms thereof. R.S.O. 1897, c. 298, s. 53 (1), (2), *amended.*

Affiliation.

34. A certified copy of every statute providing for the course of studies, for the affiliation of any college, school or other institution, or for providing for theological options shall be transmitted to the Minister of Education within ten days after the passing thereof, to be laid before the Lieutenant-Governor in Council for his approval; and no statute shall have force

Statutes to be subject to approval of visitor.

effect until such approval has been signified through the Minister of Education. R. S. O. 1897, c. 298, s. 42.

Senate to report to the Lieutenant-Governor.

**35.** The Senate of its own motion may, or when required by the Lieutenant-Governor, shall enquire into the conduct, teaching and efficiency of any professor or instructor in the University or *University* College or into the general condition and progress of the University or *University* College, and shall report to the Lieutenant-Governor the result of its enquiry, with such recommendations as may be deemed expedient. R. S. O. 1897, c. 298, s. 46.

#### CONVOCATION.

Convocation of whom to consist.

**36.** Convocation shall consist of the graduates of the University of Toronto and of all federated Universities, and every graduate shall be a member of convocation. An *ad eundem* degree shall *not*, without the consent of convocation, entitle the holder thereof to become a member of convocation. R. S. O. 1897, c. 298, ss. 12, 37.

Powers of convocation.

**37.** Convocation shall have power:

(1) To elect a chairman, who will hold office for three years, or until his successor is appointed. The members of convocation may elect any person to preside *pro tem* in the absence of the chairman. Secs. 60 (1), 64, 65.

(2) To consider all questions affecting the well-being and prosperity of the University, and to make representations from time to time on such questions to the Senate of the University, who shall consider the same and return to convocation their conclusions thereon. Sec 60 (2).

(3) To *determine* the mode of conducting and registering the proceedings of convocation: to appoint and remove the clerk of convocation, and prescribe his duties; and require a fee to be paid by members of convocation as a condition of being placed on the register of members. Sec. 60 (5) (6) (7).

(4) Convocation shall meet at such times and places as may be ordered by the senate, or by the executive committee of convocation, and it shall be the duty of the senate to provide a place for *its* meetings. Notice of all meetings shall be given in such manner as the senate, or executive committee may determine. The proceedings of any meeting of convocation shall be transmitted to the senate at the next following meeting of the senate. Sec. 60 (8), 63.

Questions before convocation how decided.

Quorum.

(5) All questions which come before convocation shall be decided by a majority of the members present, in such manner as may be provided by any resolution or by-law of convocation. The chairman shall have one vote, and in case of equality of votes, a second or casting vote. No question shall be de-

ailed at any meeting of convocation, unless thirty members at least are present. R. S. O. 1897, c. 298, ss. 66, 67. (*Amended*).

(6) If twenty-five or more members of convocation shall by writing under their hands, require the chairman for the time being of convocation to convene an extraordinary meeting of convocation, and such requisition shall express the object of the meeting required to be called, the chairman shall within a reasonable time, convene such meeting of convocation. No matter shall be discussed at any such extraordinary meeting, except the matter or matters, for the discussion whereof it was convened. R. S. O. 1897, c. 298, ss. 61, 62.

Extraordinary meetings of convocation. What may be discussed.

#### UNIVERSITY COUNCIL.

**38.**—(1) For the purposes hereinafter mentioned, there shall be established a Council composed of the president of the University who shall be chairman thereof, <sup>the senior professor in each department of the several faculties of the University, the principal of University College, the principal of each federated University or federated College, and the librarian of the University.</sup> (*Nov.*)

Academic Council, how composed.

(2) The Council shall have power, to deal with all matters affecting the discipline of students in attendance at the University; including the imposition of reasonable fines to control all associations of students in the University and to decide finally what are University Associations; to determine, after conference with the authorities of affiliated institutions, the time-tables, lectures and laboratory work of the University, to grant dispensation from the lectures and laboratory work of the University and Colleges upon the report of the professors in the faculties concerned; to authorize such lecturing or teaching in the University by others than the duly appointed professors and teachers as they may deem expedient, and to prevent all lecturing or teaching not so authorized; and to make rules for governing their proceedings. <sup>The registrar of the University shall be registrar of the council.</sup> (*Nov.*)

Powers of council.

#### POWERS OF PRESIDENT.

**39.** It shall be the duty of the president to make arrangements with respect to University examinations for which no provision has been made by the Senate; to call from time to time of his own motion or on the request of at least five professors meetings of the professors and associate professors of one or more of the faculties of the University with a view to increasing the efficiency of the various departments of University work or other academic purposes; and to arrange in conjunction with the heads of the different departments the appropriate duties of all assistant instructors; to exercise such supervision over the buildings, grounds and

Powers of President.

apparatus as will ensure their lawful use and protection; to suspend any curator, laboratory assistant or servant subject to the determination of the trustees; to exercise such general executive powers (not otherwise provided by this Act) as are necessary to the efficiency and good government of the teaching departments of the University and the advancement of their interests; and to report annually to the Lieutenant-Governor upon the progress and efficiency of the University, making such suggestions and recommendations as he may deem expedient. (*New.*)

*In case of the illness or absence of the President, the senior professor of the Faculty of Arts may act for and perform the duties of the President.*

#### UNIVERSITY COLLEGE COUNCIL.

Powers of

40.—(1) For the purposes hereinafter mentioned there shall be established a Council of University College which shall be composed of the principal and the professors and associate professors of the College.

(2) Save as herein otherwise provided University College shall be under the direction and management of the Council. The principal or in his absence the senior member present shall preside at meetings of the Council. Five members of the Council shall be a quorum. The Council may make by-laws, rules and regulations for the direction and management of the College, and shall have full authority over and entire responsibility for the discipline (including the imposition of reasonable fines) of the undergraduates in relation to the lectures and other instruction of the professors, lecturers and other teachers of the College, and no lecturing or teaching of any kind shall be carried on in the College by any other than the duly appointed professors and teachers without the authority of the Council. *New.*

#### POWERS OF PRINCIPAL OF UNIVERSITY COLLEGE.

41. It shall be the duty of the principal of University College to call meetings of the professors and associate professors of the college from time to time with the view of increasing the efficiency of the various departments of college work and to arrange in conjunction with the heads of the different departments the appropriate duties of all assistant instructors in the college and to exercise such supervision over the instruction given in the college as will promote efficiency and the good government of the college. He shall have power to exercise such discipline over the students, officers and servants of the college as may be requisite for order and efficiency. *New.*

*In case of the illness or absence of the Principal the senior professor of University College may act for and perform the duties of the Principal.*



## THE QUEEN'S PARK.

42. Whereas the bursar of the University was by section 66 of chapter 62 of the Consolidated Statutes for Upper Canada authorized to demise at a nominal rent, for a period of nine hundred and ninety nine years, to the corporation of the City of Toronto, in trust for the purposes of a park, as well as for the use of the professors students and other members of the University, as of the public generally, and for no other purpose whatsoever, so much of the land then vested in Her late Majesty Queen Victoria now vested in the said board of trustees as aforesaid, situate within or adjacent to the limits of the said city, as the said chancellor, vice-chancellor and members of the Senate of the University might by by-law approved of by the Governor-in-Council, set apart for such purposes not exceeding in the whole fifty acres, and upon such terms and conditions as had been or might after the said Act took effect, be agreed upon between the said University and the council of the said corporation: and whereas in pursuance of such powers, the said bursar made such lease as aforesaid:—Therefore it is enacted that so long as the said lease remains in force, the land so demised, shall be deemed to be and shall be taken to form a part of the said City of Toronto: and the residue of the lands so vested in Her late Majesty, but now vested in the said board of trustees as aforesaid, adjacent to the said park, shall be subject to all the police regulations of the said City of Toronto and to all by-laws of the said city in that behalf. R.S.O., 1897, c. 299, s. 21.

Lease to City of Toronto of land for a park.

Land so leased to be part of the city and residue of University lands adjacent to be subject to city's police regulations and by-laws.

## TRINITY UNIVERSITY.

43. Should the Senate of Trinity University on or before the 1st day of January, 1904, notify in writing the *Provincial Secretary* that Trinity University has decided to federate with the University, all sections of this Act relating to the federation of Universities with the University shall apply to Trinity University, together with the following special provisions:

Federation of Trinity University.

(1) The graduates in medicine and law of Trinity University shall vote for members of the Senate with the graduates of the University in medicine and law respectively.

(2) The undergraduates and graduates of Trinity University at the date of the proclamation hereinafter referred to, proceeding to their first or higher degrees shall be allowed to proceed to their degrees <sup>as</sup> within *six years* <sup>as</sup> under the regulations in force at Trinity University at the time of their matriculation.

(3) Lectures by instructors in the University may be delivered in Trinity University upon such terms *and conditions* as may be agreed upon <sup>as</sup> between the *Corporation* of Trinity University and the *Council* of the University <sup>as</sup> until new buildings are provided *by Trinity University*.

(4) A site in or near the Queen's Park <sup>§</sup>on the lands hereby vested in the trustees shall be reserved<sup>§</sup> for new buildings for Trinity University shall be reserved as may be agreed upon between the trustees and the Corporation of Trinity University. Such site shall be occupied by Trinity University free of ground rent and all other charges so long as Trinity University remains federated, but in the event of the withdrawal of Trinity University from federation then said site shall be paid for at a valuation to be determined by arbitrators, one to be appointed by the trustees and one by the Corporation of Trinity University. In the case of disagreement <sup>§</sup>a Judge of the High Court<sup>§</sup> shall appoint a third arbitrator.

Proclamation  
by Lieuten-  
ant-Governor.

(5) Upon receiving the notification aforesaid the Lieutenant-Governor may issue his proclamation declaring Trinity University to be federated with the University and thereupon this Act shall be deemed to apply to Trinity University as a University federated with the University.

<sup>§</sup>44. Should the Corporation of Trinity University on or before the 1st day of January, 1904, notify in writing the provincial secretary that Trinity University is desirous of federating but is unable to accept certain of the terms or provisions of this Act, the Lieutenant-Governor-in-Council may appoint a commission of three persons, one of whom shall be a member of the corporation of Trinity University and another a member of the senate of the University of Toronto and a third a judge of the High Court, who shall have power to enquire into and concerning such terms of federation as may be desired by the said Trinity University and to consider articles of agreement with the said Trinity University for federation with the University of Toronto.<sup>§</sup>

<sup>§</sup>45. Any articles of agreement that may be settled by the said commission shall be subject to the approval of the senate of the University of Toronto and the corporation of Trinity University, and in the event of said approval the Lieutenant-Governor-in-Council may issue his proclamation declaring Trinity University to be federated with the University of Toronto provided always that the terms of such articles of agreement are not inconsistent with the provisions of this Act.<sup>§</sup>

<sup>§</sup>46. Section 4 of the Act passed in the 60th year of Her late Majesty's reign chaptered 59 and entitled an Act setting apart certain wild lands of the Crown for the use of the University of Toronto and for other purposes is hereby amended by adding thereto the following words "and University College."<sup>§</sup>

<sup>§</sup>47. Section 7 of the said recited act is hereby amended by striking out all the words thereof after the figures "\$7,000" in the fifth line thereof and substituting for the words so struck

out "which shall form part of the income fund of the University and University College." 58

48. Chapters 298 and 299 of the Revised Statutes of Ontario, 1897, 49 and sections 4 and 7 of chapter 59 of the Acts passed in the 60th year of the reign of Her late Majesty Queen Victoria 59 are hereby repealed. 58

## SCHEDULE.

(Section .)

### FORM OF VOTING PAPER.

*University of Toronto,*

*Election,* 19 .

I resident at in the  
county of do hereby declare :

(1) That the signature affixed hereunto is my proper handwriting.

(2) That I vote for the following person (or persons) as chancellor or as members of the Senate (*as the case may be*) of the University of Toronto, viz., of in the county of etc., etc..

(3) That I have not in this election signed any other voting paper as a graduate of the Faculty of Arts (*or Medicine, or Law, or as Headmaster or Assistant of a High School, as the case may be*).

(4) That this voting paper was executed on the day of the date hereof.

(5) That I vote in my right as graduate of University, or Headmaster, or Assistant master of a High School (*as the case may be*).

Witness my hand this day of , A.D. 19 .

R.S.O., 1897, c. 298, *Sched.*





No. 176.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

An Act respecting the University of Toronto  
and University College.

First Reading: 21st March, 1901.  
Second Reading: 27th March, 1901.

*(Reprinted as amended in Committee of  
the Whole House.)*

Mr. HARGREVE.

TORONTO:

PRINTED BY E. K. CAMERON,

Printer to the King's Most Excellent Majesty.

## An Act to amend The General Road Companies Act.

His MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 34 of *The General Road Companies Act* is hereby repealed and the following substituted in lieu thereof: Rev. Stat. c. 193, s. 34 repealed.

34. All municipal authorities representing the interests of the locality, through or along the boundary of which any toll road passes, shall set apart as a fund for the purchase of such road all taxes collected from such road company and all dividends received on the stock of the same, which may be owned by such municipality; and such municipalities and all cities, towns and villages, within three miles of said road, may add to such purchase fund from the other monies of the municipality; and such fund may be invested from time to time in the stock of such road company, or where such road is not owned by a company in purchasing a fixed interest therein, on the completion of the purchase of the whole of the stock of said company by the municipality or municipalities, and payment of any debt incurred therefor, or sooner if the council of the municipality or municipalities shall so decide, all gates shall be removed from such toll road. Acquiring interest in roads until municipality is sole owner.

2. The said Act is further amended by adding the following as section 146a: Rev. Stat. c. 193, amended.

146a. After the period of twenty-one years, mentioned in section 145, the value of the said road shall not be fixed at an amount greater than the cost of constructing the road, bridges and buildings thereon, as expended by the company; and in the event of the arbitrators not being able to ascertain such amount in a satisfactory manner, then at an amount not greater than the amount required to construct such road, bridges and buildings at the present time, no amount being allowed for the value of the franchise apart from such cost of road, after the said period of twenty-one years. After 25 years value of road not exceed actual expenditure thereon

No. 177.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

An Act to amend The General Road Companies Act.

First Reading, 25th March, 1901.

MR. MATHESON.

TORONTO:

PRINTED BY L. K. CAMERON,  
Printer to the King's Most Excellent Majesty.



## An Act to amend The Liquor License Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 12 (a) of *The Liquor License Act* is hereby  
5 amended by striking out the words "in any city" in the first Rev. Stat.  
c. 24, s. 12(a)  
amended.  
and second lines thereof.

No. 178.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

An Act to amend The Liquor License Act.

First Reading, 25th March, 1901.

MR. HOLMES.

TORONTO:

Printed by L. K. GAVRON,  
Printer to the King's Most Excellent Majesty.

## An Act to amend The Succession Duties Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :

1. This Act may be cited as *The Succession Duty Amendment Act, 1901*. Short title.

2. In this Act the words "The Act" means "*The Succession Duty Act*," chapter 24, of the Revised Statutes of Ontario, 1897, as the said chapter stood amended before the passing of this Act. "The Act" to amend Rev. Stat., c. 24.

3. Section 2 of "the Act" is amended by adding thereto the following sub-section. Rev. Stat., c. 24, s. 2 amended.

(2) In determining the value of an estate of a deceased for purposes of succession duty, the value shall be taken as at the date of the death of the deceased, and allowance shall be made for reasonable funeral expenses and for his debts and incumbrances : but an allowance shall not be made— Allowing for debts in computing value of estate.

(a) For debts incurred by the deceased, or incumbrances created by a disposition made by the deceased, unless such debts or incumbrances were incurred or created bona fide for full consideration in money or money's worth wholly for the deceased's own use and benefit, and take effect out of his interest ; nor

(b) For any debt in respect whereof there is a right to reimbursement from any other estate or person, unless such reimbursement cannot be obtained ; nor

(c) More than once for the same debt or incumbrance charged upon different portions of the estate : nor

(d) Shall any allowance or reduction be made for the expenses of administration of the estate or execution of any trust created by the will of a testator. And any debt or incumbrance for which an allowance is made shall be deducted from the value of the land or other subjects of property liable thereto.

Rev. Stat.,  
c. 24, s. 3,  
subs. 3,  
amended.

4. Sub-section 3 of section 3 of the Act is amended by inserting after the word "grandchild" in the third line the words "or other lineal descendant."

Rev. Stat.,  
c. 24, s. 4,  
subs. 1,  
amended.

5. Paragraph (a) of sub-section 1 of section 4, of the Act is amended by inserting between the words "elsewhere" and "passing" in the 5th line of the said paragraph the words following "and all moveable property locally situate out of this Province and any interest therein where the owner was domiciled in this Province at the time of his death."

Rev. Stat.,  
c. 24, s. 11,  
amended.

6. The said section is further amended by striking out in the second sub-section thereof all the words commencing with the words "and subject" in the third line to the end of the said sub-section and the said section is further amended by inserting in the third sub-section thereof after the word "deceased" in the fifth line "or any child or children adopted as such by the deceased, or to any person to whom the deceased for not less than ten years prior to his death stood in the acknowledged relation of parent."

Rev. Stat.,  
c. 24, s. 4,  
subs. 2, 3,  
amended.

7. (1) Section 11 of the Act is amended by striking out the word "not" in the fifth line thereof and also striking out all the words commencing with the word "nor" in the said fifth line to the end of the said sub-section and inserting in lieu thereof the following words:—"In the same manner as on the other assets of the estate but the judge may grant further time for payment thereof or of a part thereof where it appears to the judge that having reference to the condition of the estate, the available means of making such payment, and the interest of others, that payment within the time prescribed by this Act would be unreasonable or unjust; in such cases, as between executors or administrators of the estate and the person who is to become entitled to possession or enjoyment for a future period only, the duty payable and paid by the executors or administrators in respect of such future estate or interest shall be a charge on such future estate or interest and shall be paid to them by the person aforesaid with interest at the time the estate or interest comes into actual possession; but the executors or administrators shall be entitled to receive the amount, or any part thereof, at an earlier date if the person to pay desires to pay the same at an earlier date."

Extending  
time for pay-  
ment of duty.

Rev. Stat.,  
c. 24, s. 11,  
subs. 5,  
repealed.  
Rev. Stat.,  
c. 24, s. 12,  
subs. 3,  
amended.

(2) Sub-section 5 of said section 11 is hereby repealed.

8. Sub-section 3 of section 12 of the Act is amended by adding thereto the words "provided the said Treasurer may in his discretion decline to grant such certificate until the expiration of one year from the death of the deceased testator or intestate as the case may be."



No. 179.

4th Session, 9th Legislature,  
1 Edward VII, 1901.

BILL.

An Act to amend to The Succession Duties  
Act.

First Reading, 26th March, 1901.

Mc Ross.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

## An Act to amend The Succession Duties Act.

**HIS MAJESTY**, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :

1. This Act may be cited as *The Succession Duty Amendment Act, 1901*. Short title.

2. In this Act the words "The Act" mean "*The Succession Duty Act*," chapter 24, of the Revised Statutes of Ontario, 1897, as the said chapter stood amended before the passing of this Act. "The Act" to amend Rev. Stat., c. 24.

3 Section 2 of "the Act" is amended by adding thereto the following sub-sections: Rev. Stat., c. 24, s. 2 amended.

(2) "The phrase 'aggregate value' means the value of the property before any debts or other allowances or exemptions are deducted therefrom." "Aggregate value."

(3) "'Dutiable value' means the value of the property after the debts or other allowances or exemptions authorized by this Act are deducted." This and the next preceding subsection shall be deemed and construed to declare the law of the Province as the same existed on and has existed since the fourteenth day of April, 1892, but shall not apply so as to affect any judgment of the High Court given before the passing of this Act. "Dutiable value."

(4) In determining the *dutiable* value of an estate of a deceased for purposes of the *payment of* succession duty *hereunder*, the value shall be taken as at the date of the death of the deceased, and allowance shall be made for reasonable funeral expenses and for his debts and incumbrances; and any debt or incumbrance for which an allowance is made shall be deducted from the value of the land or *other* subjects of property; but an allowance shall not be made—Allowing for debts in computing value of estate.

(a) For debts incurred by the deceased, or incumbrances created by a disposition made by the deceased, unless such debts or incumbrances were incurred or created bona fide for full consideration in money or money's worth wholly for the deceased's own use and benefit, and take effect out of his interest; nor

- (b) For any debt in respect whereof there is a right to reimbursement from any other estate or person, unless such reimbursement cannot be obtained; nor
- (c) More than once for the same debt or incumbrance charged upon different portions of the estate; nor
- (d) Shall any allowance or reduction be made for the expenses of administration of the estate or execution of any trust created by the will of a testator.

Rev. Stat.  
c. 24, s. 3 (1),  
amended.

§ 4. Subsection 1 of section 3 of the Act is amended by striking out in the first and second lines thereof the words "payment of debts and expenses of administration," and by substituting therefor these words, "the allowances authorized by this Act."

Rev. Stat.,  
c. 24, s. 10,  
repealed.

§ 5. Section 10 of the Act is repealed.

Rev. Stat.,  
c. 24, s. 4,  
subs. 1,  
amended.

6. (1) Paragraph (a) of sub-section 1 of section 4, of the Act is amended by striking out all the words after the word "elsewhere" in the 5th line thereof and by substituting therefor the words "and all moveable property locally situate out of this Province and any interest therein where the owner was domiciled in this Province at the time of his death whether such moveable property passes by will or intestacy."

Rev. Stat.,  
c. 24, s. 4 (1)  
as amended  
by 62 V. (2),  
C. 9, s. 11,  
amended.

(2) The clause lettered (g) of subsection 1 of section 4 of the Act is amended by adding at the end thereof the following words:—"Any succession, estate, income or interest which formed the subject of a power of appointment, whether such power is general or absolute, or is special or limited, shall, for purposes of this Act, be deemed to be derived from the donor of the power."

Rev. Stat.,  
c. 24, s. 4 (2),  
amended.

(3) Subsection 2 of the said section 4 is amended by striking out in the second line of the said subsection the words "and (f)" and by substituting therefor these words "(f), (g) and (h)" and the said subsection 2 is further amended by striking out all the words commencing with the words "and subject" in the third line to the end of the said sub-section.

Rev. Stat.,  
c. 24, s. 4,  
subs. 3,  
amended.

(4) The said section is further amended by inserting in the third sub-section thereof after the word "deceased" in the fifth line "or to any person or persons adopted before the age of twelve years by the deceased as his child or children, or to any infant to whom the deceased for not less than ten years prior to his death stood in the acknowledged relation of parent."

Rev. Stat.  
C. 24, s. 8,  
amended.

7. (1) Section 8 of the Act is amended by striking out all the words after the word "payable" in the thirteenth and fourteenth lines down to and including the figure "11" in the sixteenth line and by inserting in lieu thereof these words "under this Act."



27(2) The said section is further amended by striking out in the twenty-second and twenty-third lines thereof all words down to and including the words "per annum" in the twenty-third line; and by inserting in lieu thereof, these words "all purposes of computations under this section, shall be four per cent. per annum."<sup>28</sup>

28. Section 11 of the said Act is repealed, save as to estates which became dutiable before the passing of this Act, and the following section is substituted therefor:—

Rev. Stat. c. 24, s. 11 repealed and new section substituted.

29-11 (1) Where the dutiable property (real or personal) includes any future or contingent estate, income or interest, the duty on such estate, income or interest may be paid within the time limited by sub-section 1 of section 12; and, where so paid, the duty shall be on the value of such estate, income or interest computed under section 8 as at the death of the deceased. By consent of the Provincial Treasurer in writing, duty may be paid after the time so limited and before such estate, income or interest comes into possession; but in event of such consent, the duty shall then be on a value not less in any event than the value of such estate, income or interest computed under section 8 as at the date when the duty is paid; and no deduction shall be made for duty paid or payable on any prior estate, income or interest. The duty on any future or contingent estate, income or interest, if not sooner paid (as in this sub-section provided) shall be payable forthwith when such estate, income or interest comes into possession, in which case the duty shall be on the value computed under section 8 as at the date of such coming into possession; and no deduction shall be made for duty paid or payable on any prior estate, income or interest. Cf. R. S. O. 1897, c. 24, s. 11 (1).<sup>30</sup>

30(2) Where the duty on any future or contingent estate, income or interest has been paid by the executor, administrator or trustee before such estate, income or interest comes into possession, the duty so paid shall be charged on such future or contingent estate, income or interest, and shall be repaid with interest at the rate mentioned in section 8, to the executor, administrator or trustee, as the case may be, by the person who is to become entitled to such future or contingent estate, income or interest; and if not sooner repaid shall then be repaid at the time when such estate, income or interest comes into possession. R. S. O. 1897, c. 24, s. 11 (5) part.<sup>31</sup>

Duty paid on future or contingent estate, income or interest may be charged thereon.

31(3) Where in respect of any future or contingent estate or interest, there is no person beneficially entitled to the present income or enjoyment, or where there is some part thereof to which there is no person so entitled, the duty on such future or contingent estate or interest, or on part thereof, as the case may be, shall be payable as in sections 11 and 12 provided. R. S. O. 1897, c. 24, s. 11 (2).<sup>32</sup>

When no person is entitled to the present enjoyment of a future or contingent estate.

Rev. Stat.  
c. 24, s. 12,  
amended.

§ 9. (1) Sub-section 1 of section 12 of the Act is amended by adding at the end thereof the following proviso:—

Proviso.

“ Provided that the duty chargeable upon any legacy given by way of annuity, whether for life or otherwise, shall be paid by four equal payments, the first of which payments of duty shall be made before or on completing payment of the first year's annuity, and the three others of such payments of duty shall be made in like manner successively, before or on completing the respective payments of the three succeeding years' annuity respectively. In case the annuitant dies before the expiration of the said four years only payment of instalments which fall due before his death shall be required. R. S. O. 1897, c. 24, s. 11 (4). ”

(2) The said section 12 is further amended by adding after sub-section 1 thereof subsection a as follows:—

Extension of  
time for  
payment.

A. The Lieutenant-Governor-in-Council, upon its being proved to his satisfaction that payment of the duty within the time limited by sub-section 1 of this section, would be unduly onerous on the estate, may, by Order-in-Council, so extend the time for the payment of the said duty as shall appear just and reasonable; and the duty shall be due and payable as in the said Order-in-Council set forth.

Cf. R.S.O. 1897, c. 24, s. 11 (5) part.

Cf. s. 13.

Rev. Stat.  
c. 24, s. 12,  
subs. 3,  
amended.

(3) Sub-section 3 of section 12 of the Act is amended by adding thereto the words “ provided the said Treasurer may in his discretion decline to grant such certificate until the expiration of one year from the death of the deceased testator or intestate as the case may be.”



No. 179.

4th Session, 9th Legislature,  
1 Edward VII, 1901.

BILL.

An Act to amend to The Succession Duties  
Act.

First Reading, 26th March, 1901.

*(Reprinted with amendments for Com-  
mittee of the Whole House.)*

MR. BOSS,

TORONTO:

PRINTED BY L. K. CAMERON.

Printer to the King's Most Excellent Majesty.

## Statute Law Revision Act.

WHEREAS the various enactments mentioned in the Preamble. schedule to this Act are spent or have ceased to have force, otherwise than by express and specific repeal by the Legislative Assembly, or have by lapse of time and change of circumstances become unnecessary, or the subject matter thereof is sufficiently provided for by other enactments, or for other reasons it is desirable that the same should be repealed;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as the *Statute Law Revision Act*, 1901. Short title.

2. The enactments described in the schedule to this Act are hereby repealed, but as regards the statutes of England and Great Britain so far only as the same have been introduced and incorporated into the law of this Province by virtue of any statute of this Province. Repeal of enactments in schedule.

3. Clause (g) of The Revised Statutes of Ontario, chapter 72, section 1, is hereby repealed and the following substituted therefor:— Rev. Stat. c. 72, s. 1, repealed.

“(g) Actions for penalties, damages, or sums of money given to the party aggrieved or to the Crown by any statute.”

## SCHEDULE.

This schedule, so far as it relates to the Statutes of England or Great Britain, is to be read as referring to the Revised Edition of the Statutes prepared under the direction of the Imperial statute law committee of the United Kingdom. The chapters of the statutes (before the division into separate Acts) are described by the marginal abstracts given in that edition.

- 3 Ed. 1, c. 25—ChamPERTY by the King's officers.
- 3 Ed. 1, c. 26—Extortion by the King's officers.
- 3 Ed. 1, c. 27—Extortion by clerks of justices, etc.
- 3 Ed. 1, c. 28—Maintenance by officers of courts.
- 3 Ed. 1, c. 29—Deceits by pleaders.
- 1 Ed. 3, St. 2, c. 14—Maintenance.
- 1 Ric. 2, c. 4—Penalties for maintenance.
- 8 Hen. 6, c. 19—Forcible entry.

11 Hen. 7., c. 12—An Acte to admytt such psons as are poore to sue in forme paupis.

23 Hen. 8., c. 15—An Acte that the defendaunt shall recove costs ageinste the pleyntif, if the pt be nonsuited, or if the vdicte pass ageinste him.

32 Hen. 8., c. 9—Agenst maintenaunce and embracery byeng of titles, etc. R. S. O., c. 224, s. 211.

31 Eliz., c. 5—An Acte concerninge informers.

31 Eliz., c. 11—An Acte for explanacon or declaracon of the statute of Octavo Regis Henrici Sexti, concerninge forcible entries and the indictments thereupon to be founde.

21 Jac. 1., c. 15—An Acte to enable judges and justices of the peace to give restitution of possession in certayne cases.

1 W. & M., c. 16—An Act to prevent frauds by clandestine mortgages.

1 W. & M., c. 18—An Act to prevent malicious informations in the Court of King's Bench.

10 W. 3., c. 23 (or c. 17 in other editions)—An Act for suppressing of lotteries.

8 Geo. 1., c. 2—An Act . . . for suppressing lotteries, denominatid sales, and other private lotteries.

6 Geo. 2., c. 37—An Act . . . for enforcing the laws made against lotteries.

12 Geo. 2., c. 28—An Act for the more effectual preventing of excessive and deceitful gaming.

13 Geo. 2., c. 19—An Act . . . for amending an Act made in the last session of Parliament intituled an "Act for the more effectual preventing of excessive and deceitful gaming."

18 Geo. 2., c. 34—An Act to explain, amend and make more effectual the laws in being to prevent excessive and deceitful gambling; and to restrain and prevent the excessive increase of horse races.

27 Geo. 3., c. 1—An Act to render more effectual the laws now in being for suppressing unlawful lotteries.



No. 180.

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4th Session, 9th Legislature,  
1 Edward VII, 1901.

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BILL.

Statute Law Revision Act.

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First Reading, 26th March, 1901.

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THE ATTORNEY-GENERAL.

TORONTO:

PRINTED BY L. K. GARROD,

Printer to the King's Most Excellent Majesty.



## An Act to amend the Ontario Shops Regulation Act.

**HIS MAJESTY**, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 13 of *The Ontario Shops Regulation Act* is amended by adding thereto the following sub-sections:

Rev. Stat.  
c. 257 s. 14  
amended.

(3) The owner of every shop shall be held responsible for the providing of the sanitary conveniences provided under sub-section (2) of this section and on failure or refusal to provide the same within two months after receiving written notice from the inspector, shall be liable on conviction to a fine of not more than \$500; or in default of payment of the same, shall be imprisoned for a period of not more than twelve months.

Penalty for  
not providing  
conveniences  
etc.

(4) Where grinding, polishing or buffing is carried on in any shop, the provisions of section 16 of *The Ontario Factories Act* shall apply to such shop.

2. Section 39 of *The Ontario Shops Regulation Act* is repealed and the following substituted therefor:

Rev. Stat.  
c. 257 s. 39  
repealed.

39. No person shall require, permit or suffer any employee in any bake shop to work on Sunday, nor for more than twelve hours out of every twenty-four hours computed from the time when the employee commences to work, nor more than sixty hours in any one week to be computed as commencing on Monday and ending on Saturday, both days inclusive, except by permission of the inspector given in writing to the employer: and a copy of such permission shall be posted in a conspicuous place in the bake shop.

Hours of  
labour in bake  
shops.

## BARBER SHOPS.

3. The said Act is further amended by adding thereto the following as sections 45 and 46.

Rev. Stat.  
c. 257 amended.

45. No employer shall require, permit or suffer any employee in any barber shop to work on Sunday, and no proprietor of any barber shop shall open his barber shop or permit the same to be opened to the public or carry on any business or work therein at any time between the hours of 12 o'clock in the

Barber shops  
not to be  
open on  
Sunday.

afternoon on Saturday and 12 o' clock in the afternoon on Sunday.

Penalty.

46. Any employer or any proprietor of a barber shop who violates the provisions of the preceding section shall on conviction thereof be liable to a penalty of not less than \$20 besides costs and of not more than \$50.00 besides costs, and in default of payment of the same, shall be imprisoned for a period of not less than thirty days and of not more than six months. 5



No. 181.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

An Act to amend The Ontario Shop Regu-  
lation Act.

First Reading 26th March, 1901.

Mr. DRYDEN.

TORONTO:

PRINTED BY L. K. CAMERON,  
Printer to the King's Most Excellent Majesty.

An Act to amend the Statute Law.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. No Act passed during the present session or at any future session shall affect any action or suit or proceeding pending in any court of this province at the commencement of the session during which such Act is passed, unless such Act expressly provides to the contrary.

Act not to affect pending litigation unless expressly so provided.

No. 182.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

An Act to amend the Statute Law.

First Reading, 27th March, 1901.

Mr. Foy.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

## An Act to Facilitate the Purchase of Toll Roads by Municipalities.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :

1. This Act may be cited as "*The Toll Roads Municipal Expropriation Act, 1901.*" Short title.

2. Where the words following occur in this Act they shall be construed in the manner hereinafter mentioned unless a contrary intention appears :— Interpretation.

1. "Owner" or "owners" besides including any person or persons, in whom the legal and equitable estates are vested, shall also include any joint stock company as well as any municipality" "Owner" or "Owners."

2. "Road" or "roads" shall include any parcel of land or franchise respecting or any easement in any land, and also any toll houses or other buildings erected thereon or used therewith. R.S.O. 1897, c. 239, s. 2. "Road" or "Roads."

3. The municipal corporation of any township or of any county may agree with the owners or lessees of any road as to the amount to be paid in order that tolls on such road may be abolished, but in the event of their failing so to agree the same shall be determined by arbitration as hereinafter provided. Agreement for cessation of tolls.

4. Where a toll road owned by a person or corporation lies wholly within one township, the municipal council shall within three months after the receipt by the clerk of the municipality of a petition signed by fifty ratepayers by by-law appoint an arbitrator for the purposes of this Act. Where such road lies within two or more municipalities of the same county the municipal council of the county shall within two months after the receipt of a petition from each of the townships concerned signed by at least fifty ratepayers of each of such townships by by-law appoint an arbitrator for the purposes of this Act. Appointment of arbitrator by municipality.

5. On the appointment of an arbitrator as hereinbefore mentioned either by a township or by a county, the clerk of the township or of the county, as the case may be, shall notify Appointment of arbitrators by owners.

Third arbitrator.

the owners of the road of such appointment. On the receipt of such notice, the owners of such road may appoint an arbitrator and in default of their doing so within 21 days of the receipt of such notice the judge of the county court shall appoint an arbitrator to act in their behalf. The two arbitrators so appointed shall, within 7 days of the appointment of the last person appointed, meet and appoint a third arbitrator, and in default of their doing so from any cause then the judge of the county court shall *ex officio* act as a third arbitrator. 10

Persons disqualified from acting as arbitrators.

6. No member, officer or person in the employment of any corporation which is concerned or interested in any arbitration, nor any person so interested shall be appointed or act as an arbitrator in any cases of arbitration under this act; but nothing in this section contained, shall prevent the appointment of or disqualify as an arbitrator any person by reason merely, that such person is a rate-payer of or within any municipality concerned or interested in the arbitration. 15

Sections of Rev Stat. c. 62 to apply.

7. Sections 9 to 12, 15, 17 to 27, and 40 to 44 of *The Arbitration Act*, shall apply to arbitrators appointed under this Act and to arbitrators thereunder. 20

Mode of ascertaining price to be paid for roads.

8.—(1) For the purpose of ascertaining and determining the prices to be paid for any toll road the arbitrators may agree with the owners as to the price and terms of payment.

(2) If the arbitrators and owners are unable to agree the prices to be paid shall be determined by the arbitrators in the manner provided for by *The Act respecting the Public Works of Ontario* and all the provisions of the said Act in regard to the mode of determining the compensation to be paid for lands or other property or rights to be acquired by the Commissioner of Public Works shall apply as nearly as may be in determining the compensation to be paid for roads or rights to be acquired for the purposes of this Act, but in lieu of making any tender the arbitrators may name a price which they are willing to fix as the price to be paid, and notice thereof to the owners shall stand in lieu of a tender. The compensation agreed to or awarded as aforesaid shall be the price to be paid for the roads or rights described in the agreement or award, in case the same are taken under this Act, within one year after such valuation or award has been made or after such price has been agreed upon. 25 30 35 40

Examination of roads.

(3). The arbitrators may examine the toll roads held or owned by any person, company or minor municipality for which they are appointed and for that purpose shall have power to travel over, measure, dig into and otherwise examine, such roads as they may deem necessary. 45

Examination of books and records.

(4). The said arbitrators shall also have power to examine all books and records connected with the management of any



such road or roads and may require any owner or owners to produce the same for the purpose of being examined, and shall also have power to examine any person or persons under oath relative to the value, cost, income or expenditure, or net profit of any such road or roads, and in case any person shall refuse to testify or refuse to produce such books or records, he or they shall be punished for contempt of court in the manner provided for such cases in the courts of law.

(5). If the person or company owning the roads could not without this Act have conveyed the same or agreed for the compensation to be paid therefor, or if any owner or party to whom the compensation money, or any part thereof, is payable refuses to execute the proper conveyance or other requisite instrument of transfer of the roads, or if the person entitled to claim the compensation cannot be found, or is unknown, or if there is reason to fear any claim or incumbrance the compensation money agreed upon or awarded may be paid into the High Court of Justice and a copy of the conveyance or of the agreement or award, if there be no conveyance, verified by affidavit, shall be delivered to the accountant or other proper officer of the Court.

Payment of compensation into court.

(6). The compensation money for any roads acquired or taken under this Act without the consent of the proprietor or proprietors, shall stand in the stead of such roads, and any claim or encumbrance upon such roads shall be converted into a claim to the compensation money or to a proportionate amount thereof and shall be unavailing as respects the roads themselves.

Compensation to stand in place of the land.

(7). Possession shall not be taken of any part of any road valued as aforesaid until the amount agreed on or awarded for the same has been paid to the company or owner, or to the persons appearing to be entitled to receive it, or has been paid into court under the provisions of this Act.

When possession may be taken.

(8). If the road is not taken and paid for within one year as aforesaid the owner shall be entitled to receive the costs to which he has been put in any proceedings taken for determining by arbitration the value of such road; the amount of such costs shall be stated in the award of the arbitrators, whether the arbitrators direct that the party shall be entitled to such costs in the event of the road being purchased, or direct otherwise.

Costs where road not taken.

(9). Subject to the provisions of the preceding section the arbitrators shall have full authority to determine by and to whom any costs incurred in connection with any arbitration shall be paid, but any costs which should be paid by an owner shall be directed by the award to be paid to the treasurer of the township or county; the award as to costs shall not take effect until the road is purchased, and if any costs are directed to be paid to the said treasurer by any owner the same shall be deducted from the price of the road.

Costs to be in discretion of arbitrators.

When award  
to be final.

(10) The award of the arbitrators shall become final and absolute at the expiration of thirty days from the filing, thereof with the clerk of the county or township as the case may be but the Court or a Judge may, under special circumstances, allow an appeal after fourteen days to the High Court 5 of Justice, and such appeal may be heard before a Judge sitting in Court, as appeals from the Master are heard, and the Appeal from award. Judge may, upon the appeal, either amend the said award in any way and to any extent that he may deem proper, or refer the same back to the arbitrators for amendment in whole 10 or in part, with such directions as to law or fact as he may deem proper, or he may confirm the same.

Power to bor-  
row money for  
purchase of  
road.

9. After the award of the arbitrators has become absolute or settled on appeal the township or county council, as the case may be, may, in the manner provided for in *The Mani- 15 cipal Act*, pass a by-law for borrowing the amount required to purchase the said roads, in accordance with the award of the arbitrators, by the issue of debentures of the municipality, payable in not more than twenty years. The county council may provide by such by-law for raising any amount required to 20 pay and may pay to any municipality or municipalities which are not materially or only slightly benefited by the purchase of the road or roads, such a sum, by way of bonus, as may be deemed a fair or partial equivalent for the amount which such municipalities will be required to pay towards the said pur- 25 chase or any part thereof. Such by-law shall be submitted to the municipal councils of the townships interested for their approval.

Alternative  
by-law may be  
adopted.

10. In the alternative, where the roads to be purchased or taken are situate in but one or in a small number of the muni- 30 cipalities of the county, or where some of the municipalities are not, in the opinion of the arbitrators, interested in the roads, or in the abolition of the tolls, the arbitrators may, in addition to all other matters hereinbefore mentioned, report whether, in their opinion, the by-law of the county council 35 should be a sectional by-law, and applied to such of the municipalities as, in the opinion of the arbitrators, should pay for the roads. In such case the by-law of the council for raising or providing money for the purchase next hereinafter mentioned, may, if the council think proper, name the municipali- 40 ties which shall be liable to repay to the county the amount paid for the purchase of the roads or abolition of tolls as aforesaid, and may also fix the amount for which each said municipality shall be liable. In adopting a by-law under this section the council may provide a bonus as in the last preced- 45 ing section, if they think proper.

Statement to  
be furnished  
to municipi-  
palities by  
county clerk.

11. The County Clerk shall, on or before the 31st day of December in each year, send to the clerk of each municipality interested, a written statement of the amount to be levied

during the ensuing year by such municipality for the purpose of providing the amount necessary to meet the said annual payments of principal and interest, and the council of said municipality shall levy such amount accordingly.

5 **12.** Instead of raising by taxation for the repayment of debentures the full amount of the purchase money of any toll road as in the preceding section mentioned, the council of any township or county may defer the abolition of tolls for a period of not more than ten years and may apply the proceeds of such tolls *pro tanto* towards the payment of such debentures, but in all such cases the municipality or municipalities interested as may be set forth in the by-law to that effect, shall maintain such road out of the general taxation on the assessed property of the municipality.

Applying tolls in payment of debentures.

15 **13.** Where a toll road is owned by the township within which it is situated the council of the township shall, within three months after the receipt of a petition signed by fifty ratepayers, pass a by-law fixing a date when the collection of tolls shall cease, said date not to be more than ten years from the passing of such by-law. Such by-law may be submitted to the rate-payers for approval as the council may deem expedient.

Abolition of tolls on township road.

20 **14.** Where a municipal council has passed a by-law for the abolition of tolls as in the preceding sections mentioned, all tolls thereafter collected shall be paid over monthly to the treasurer of the municipality, and shall be applied to the maintenance of roads within the municipality as the council may by law direct.

Application of tolls pending cessation.

30 **15.** On the completion of the purchase of the roads by any county, and upon the removal of tolls therefrom all tolls shall be removed from the roads owned by any city or town within such county within the limits of such city or town. Upon the removal of the tolls from any road under this Act, the responsibility of thereafter maintaining and keeping the same in repair shall rest upon the local or minor municipalities through which the same pass as in the case of ordinary highways.

Tolls on roads belonging to cities and towns to be abolished on removal of tolls from roads purchased by counties.

**16.** Chapter 239 of the Revised Statutes of Ontario, 1897, is hereby repealed.

Rev. Stat., c. 239, repealed





No. 183.

4th Session, 9th Legislature,  
1 Edward VII, 1901.

BILL.

An Act to facilitate the purchase of toll  
roads by municipalities.

First Reading, 27th March, 1901.

Mr. ROSS.

TORONTO:  
PRINTED BY L. K. GAMBRON,  
Printer to the King's Most Excellent Majesty.

## An Act to Facilitate the Purchase of Toll Roads by Municipalities.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as "*The Toll Roads Expropriation Act, 1901.*" Short title.

2. Where the words following occur in this Act they shall be construed in the manner hereinafter mentioned unless a contrary intention appears:— Interpretation.

1. "Owner" or "owners" besides including any person or persons, in whom the legal and equitable estates are vested, shall also include any joint stock company as well as any municipality" "Owner" or "Owners."

2. "Road" or "roads" shall include any parcel of land or franchise respecting or any easement in any land, and also any toll houses or other buildings erected thereon or used therewith. R.S.O. 1897, c. 239, s. 2. "Road" or "Roads."

3. The municipal corporation of any township or of any county may agree with the owners or leasees of any road as to the amount to be paid in order that tolls on such road may be abolished, but in the event of their failing so to agree the same shall be determined by arbitration as hereinafter provided. Agreement for cessation of tolls.

4. Where a toll road owned by a person or corporation lies wholly within one township, the municipal council shall within three months after the receipt by the clerk of the municipality of a petition signed by fifty ratepayers by by-law appoint an arbitrator for the purposes of this Act. Where such road lies within two or more municipalities of the same county the municipal council of the county shall within two months after the receipt of a petition from each of the townships concerned signed by at least fifty ratepayers of each of such townships by by-law appoint an arbitrator for the purposes of this Act. Appointment of arbitrator by municipality.

5. On the appointment of an arbitrator as hereinbefore mentioned either by a township or by a county, the clerk of the township or of the county, as the case may be, shall notify Appointment of arbitrators by own. r.

Third arbitrator. the owners of the road of such appointment. On the receipt of such notice, the owners of such road may appoint an arbitrator and in default of their doing so within 21 days of the receipt of such notice the judge of the county court shall appoint an arbitrator to act in their behalf. The two arbitrators so appointed shall, within 7 days of the appointment of the last person appointed, meet and appoint a third arbitrator, and in default of their doing so from any cause then the judge of the county court shall *ex officio* act as a third arbitrator.

Persons disqualified from acting as arbitrators. **6.** No member, officer or person in the employment of any corporation which is concerned or interested in any arbitration, nor any person so interested shall be appointed or act as an arbitrator in any cases of arbitration under this act: but nothing in this section contained, shall prevent the appointment of or disqualify as an arbitrator any person by reason merely, that such person is a rate-payer of or within any municipality concerned or interested in the arbitration.

Sections of Rev Stat. c 62 to apply. **7.** Sections 9 to 12, 15, 17 to 27, and 40 to 44 of *The Arbitration Act*, shall apply to arbitrators appointed under this Act and to arbitrators thereunder.

Mode of ascertaining price to be paid for roads. **8.**—(1) For the purpose of ascertaining and determining the prices to be paid for any toll road the arbitrators may agree with the owners as to the price and terms of payment.

(2) If the arbitrators and owners are unable to agree the prices to be paid shall be determined by the arbitrators in the manner provided for by *The Act respecting the Public Works of Ontario* and all the provisions of the said Act in regard to the mode of determining the compensation to be paid for lands or other property or rights to be acquired by the Commissioner of Public Works shall apply as nearly as may be in determining the compensation to be paid for roads or rights to be acquired for the purposes of this Act, but in lieu of making any tender the arbitrators may name a price which they are willing to fix as the price to be paid, and notice thereof to the owners shall stand in lieu of a tender. The compensation agreed to or awarded as aforesaid shall be the price to be paid for the roads or rights described in the agreement or award, in case the same are taken under this Act, within one year after such valuation or award has been made or after such price has been agreed upon.

Examination of roads. (3) The arbitrators may examine the toll roads held or owned by any person, company or minor municipality for which they are appointed and for that purpose shall have power to travel over, measure, dig into and otherwise examine, such roads as they may deem necessary.

Examination of books and records. (4) The said arbitrators shall also have power to examine all books and records connected with the management of any



such road or roads and may require any owner or owners to produce the same for the purpose of being examined, and shall also have power to examine any person or persons under oath relative to the value, cost, income or expenditure, or net profit of any such road or roads, and in case any person shall refuse to testify or refuse to produce such books or records, he or they shall be punished for contempt of court in the manner provided for such cases in the courts of law.

(5). If the person or company owning the roads could not without this Act have conveyed the same or agreed for the compensation to be paid therefor, or if any owner or party to whom the compensation money, or any part thereof, is payable refuses to execute the proper conveyance or other requisite instrument of transfer of the roads, or if the person entitled to claim the compensation cannot be found, or is unknown, or if there is reason to fear any claim or incumbrance the compensation money agreed upon or awarded may be paid into the High Court of Justice and a copy of the conveyance or of the agreement or award, if there be no conveyance, verified by affidavit, shall be delivered to the accountant or other proper officer of the Court.

Payment of compensation into court.

(6). The compensation money for any roads acquired or taken under this Act without the consent of the proprietor or proprietors, shall stand in the stead of such roads, and any claim or encumbrance upon such roads shall be converted into a claim to the compensation money or to a proportionate amount thereof and shall be unavailing as respects the roads themselves.

Compensation to stand in place of the land.

(7). Possession shall not be taken of any part of any road valued as aforesaid until the amount agreed on or awarded for the same has been paid to the company or owner, or to the persons appearing to be entitled to receive it, or has been paid into court under the provisions of this Act.

When possession may be taken.

(8). If the road is not taken and paid for within one year as aforesaid the owner shall be entitled to receive  $\frac{1}{2}$  from the municipality concerned ~~the~~ the costs to which he has been put in any proceedings taken for determining by arbitration the value of such road; the amount of such costs shall be stated in the award of the arbitrators, whether the arbitrators direct that the party shall be entitled to such costs in the event of the road being purchased, or direct otherwise.

Costs where road not taken.

(9). Subject to the provisions of the preceding section the arbitrators shall have full authority to determine by and to whom any costs incurred in connection with any arbitration shall be paid, but any costs which should be paid by an owner shall be directed by the award to be paid to the treasurer of the township or county; the award as to costs shall not take effect until the road is purchased, and if any costs are directed to be paid to the said treasurer by any owner the same shall be deducted from the price of the road.

Costs to be in discretion of a bitrators.

When award  
to be final.

(10) The award of the arbitrators shall become final and absolute at the expiration of thirty days from the filing, thereof with the clerk of the county or township as the case may be but the Court or a Judge may, under special circumstances, allow an appeal after fourteen days to the High Court of Justice, and such appeal may be heard before a Judge sitting in Court, as appeals from the Master are heard, and the Judge may, upon the appeal, either amend the said award in any way and to any extent that he may deem proper, or refer the same back to the arbitrators for amendment in whole or in part, with such directions as to law or fact as he may deem proper, or he may confirm the same.

Appeal from  
award.

Power to bor-  
row money for  
purchase of  
road.

9. After the award of the arbitrators has become absolute or settled on appeal the township or county council, as the case may be, may, in the manner provided for in *The Municipal Act*, pass a by-law for borrowing the amount required to purchase the said roads, in accordance with the award of the arbitrators, by the issue of debentures of the municipality, payable in not more than twenty years. The county council may provide by such by-law for raising any amount required to pay and may pay to any municipality or municipalities which are not materially or only slightly benefited by the purchase of the road or roads, such a sum, by way of bonus, as may be deemed a fair or partial equivalent for the amount which such municipalities will be required to pay towards the said purchase or any part thereof. Such by-law shall be submitted to the ~~ratepayers~~ of the townships interested for their approval.

Alternative  
by-law may be  
adopted.

10. In the alternative, where the roads to be purchased or taken are situate in but one or in a small number of the municipalities of the county, or where some of the municipalities are not, in the opinion of the arbitrators, interested in the roads, or in the abolition of the tolls, the arbitrators may, in addition to all other matters hereinbefore mentioned, report whether, in their opinion, the by-law of the county council should be a sectional by-law, and applied to such of the municipalities as, in the opinion of the arbitrators, should pay for the roads. In such case the by-law of the council for raising or providing money for the purchase next hereinafter mentioned, may, if the council think proper, name the municipalities ~~or~~ or portions of municipalities ~~or~~ which shall be liable to repay to the county the amount paid for the purchase of the roads or abolition of tolls as aforesaid, and may also fix the amount for which each said municipality shall be liable. In adopting a by-law under this section the council may provide a bonus as in the last preceding section, if they think proper

Statement to  
be furnished  
to muni-  
cipalities by  
county clerk.

11. The County Clerk shall, on or before the 31st day of December in each year, send to the clerk of each municipality interested, a written statement of the amount to be levied

during the ensuing year by such municipality for the purpose of providing the amount necessary to meet the said annual payments of principal and interest, and the council of said municipality shall levy such amount accordingly.

12. Instead of raising by taxation for the repayment of debentures the full amount of the purchase money of any toll road as in the preceding section mentioned, the council of any township or county may defer the abolition of tolls for a period of not more than ten years and may apply the proceeds of such tolls *pro tanto* towards the payment of such debentures, but in all such cases the municipality or municipalities interested as may be set forth in the by-law to that effect, shall maintain such road out of the general taxation on the assessed property of the municipality.

Applying tolls in payment of debentures.

13. Where a toll road is owned by the township within which it is situated the council of the township shall, within three months after the receipt of a petition signed by fifty ratepayers, pass a by-law fixing a date when the collection of tolls shall cease, said date not to be more than ten years from the passing of such by-law. Such by-law may be submitted to the rate-payers for approval as the council may deem expedient.

Abolition of tolls on township road.

14. Where a municipal council has passed a by-law for the abolition of tolls as in the preceding sections mentioned, all tolls thereafter collected shall be paid over monthly to the treasurer of the municipality, and shall be applied to the maintenance of roads within the municipality as the council may by by-law direct.

Application of tolls pending cessation.

15. On the completion of the purchase of the roads by any county, and upon the removal of tolls therefrom all tolls shall be removed from the roads owned by any city or town within such county within the limits of such city or town. Upon the removal of the tolls from any road under this Act, the responsibility of thereafter maintaining and keeping the same in repair shall rest upon the local or minor municipalities through which the same pass as in the case of ordinary highways.

Tolls on roads belonging to cities and towns to be abolished on removal of tolls from roads purchased by counties.

16. Section 34 of *The General Road Companies Act* is hereby repealed and the following substituted in lieu thereof:

Rev. Stat. 193, s 34 repealed.

34. All municipal authorities representing the interests of the locality, through or along the boundary of which any toll road passes, shall set apart as a fund for the purchase of such road all taxes collected from such road company and all dividends received on the stock of the same, which may be owned by such municipality; and such municipalities and all cities, towns and villages, within three miles of said road, may add to such purchase fund from the other monies of the municipi-

Acquiring interest in roads until municipality is sole owner.

pality; and such fund may be invested from time to time in the stock of such road company, or where such road is not owned by a company in purchasing a fixed interest therein, on the completion of the purchase of the whole of the stock of said company by the municipality or municipalities, and payment of any debt incurred therefor, or sooner if the council of the municipality or municipalities shall so decide, all gates shall be removed from such toll road.

Rev. Stat.  
c. 193,  
amended.

**17.** The said Act is further amended by adding the following as section 146a :

After 25 years  
value of road  
not exceed  
actual expen-  
diture thereon

146a. After the period of twenty-one years, mentioned in section 145, the value of the said road shall not be fixed at an amount greater than the cost of constructing the road, bridges and buildings thereon, as expended by the company; and in the event of the arbitrators not being able to ascertain such amount in a satisfactory manner, then at an amount not greater than the amount required to construct such road, bridges and buildings at the present time, no amount being allowed for the value of the franchise apart from such cost of road, after the said period of twenty-one years <sup>183</sup>

Rev. Stat.,  
c. 239,  
repealed.

**18.** Chapter 239 of the Revised Statutes of Ontario, 1897, is hereby repealed.



No. 183.

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4th Session, 9th Legislature,  
1 Edward VII, 1901.

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BILL.

An Act to facilitate the purchase of toll  
roads by municipalities.

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First Reading, 27th March, 1901.  
Second Reading, 29th March, 1901.

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*(Reprinted as amended in Committee of  
the Whole.)*

Mr. ROSS.

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TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

## An Act to amend The Street Railway Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

5 **1.** Subsection 4 of section 18 of *The Street Railway Act* as enacted by section 1 of the said Act passed in the 63rd year of the reign of Her Late Majesty Queen Victoria, chaptered 31, is repealed and the following substituted therefor:—

Rev. Stat.,  
c. 208, s. 18,  
sub-s. 4,  
repealed.

10 (4) The company, when operating any portion of its line by means of electricity, shall use on the front of each motor car a fender, which shall be of a design previously submitted by the company to the Engineer of the Department of Public Works for Ontario and approved of by him in writing as suitable for use by the company, having regard to the efficiency of such fender for life saving purposes, and to the location of the company's line, and the speed at which the company's cars may be run according to any statute or by-law governing the operation of the company's line.

Use of fenders  
on cars.

15 (a) This subsection shall not come into force or take effect until the first day of November, 1901.

No. 184

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4th Session, 9th Legislature,  
1 Edward VII., 1901.

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BILL.

An Act to amend The Street Railway Act.

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First Reading, 27th March, 1901.

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MR. HILL.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.



An Act to enable the Executors of the late John Smith to sell or mortgage certain lands in the City of Toronto.

**W**HEREAS William John Smith and Edward Smith, both of the City of Toronto, esquires, the executors and trustees of the last will and testament of John Smith, late of the City of Toronto, esquire, deceased, Joseph Smith, of the same place, esquire, Faith Jane Smith, his wife, Sarah Holman, wife of Albert Wallace Holman, of the City of Toronto, butcher, and Frank Joseph Smith, of the City of Toronto, gentleman, and John Smith Holman, Rebecca Smith Holman and Joseph Hugh Pear-all, infants under the age of 21 years, by their next friend, Sarah Holman, have, by their petition represented that the said John Smith died on or about the 24th day of September 1890 possessed of considerable estate, mainly real estate, having first made his last will and testament, which bears date the 28th day of February, 1890 and that the petitioners are all the beneficiaries under the said will interested in the real estate, except Mary Smith, the widow of the testator, and Henrietta Pearall, a daughter, both of whom have died since the death of the testator, and one Mary Lumbers, whose interest in the estate was forfeited by her under the provisions of the said will, and who now resides in the United States of America: that some of the said adult devisees have only a life estate, there being limitations over to their children, some of whom are under the age of twenty-one years; that the petitioners could not mortgage, under the provisions of the will of the said John Smith, the property known as The Byres, a portion of the estate of the said John Smith, which said property may be more particularly known and described as follows, that is to say:—All and singular those certain parcels and tracts of land situate in the City of Toronto, composed of parts of lots numbers fourteen and fifteen in the broken front of the Township of York, and marsh lands appurtenant thereto, described as follows: commencing at the point where the southerly line of the Grand Trunk Railway of Canada intersects the westerly limit of Saulter street, thence southerly along the said westerly limit of Saulter street, and continuing to the line between the lands of the said John Smith and the lands belonging to the Corporation of the City of Toronto, thence

westerly along the said line one thousand two hundred and seventy-five feet more or less to a point where a line drawn parallel to Saulter street southerly from the westerly end of the bridge of the said Grand Trunk Railway over the river Don, would intersect the said line between the lands of the said John Smith and the lands of the said Corporation of the City of Toronto, thence northerly along the said described line to the Don river, thence northerly following the course of the Don river to the southerly line of the said Grand Trunk Railway where it crosses the said Don river, thence north-easterly along the southerly line of the said Grand Trunk Railway to the place of beginning, containing, including dry land and marsh lands, about thirty-one acres; that the whole of the property not specifically devised and which includes the homestead, except the said property known as The Byres, is almost entirely unproductive, and the assessed value thereof was, in 1894, \$243,623; that owing to this fact the taxes upon the said property accumulated, and advances had to be obtained from the bank, from time to time, after the death of the testator, to meet the taxes and the other necessary expenses of managing the estate; that the estate being in debt to the bank to the extent of about \$20,000, almost the entire sum being for taxes, the bank declined to make any further advances and called for payment of the loan; that to avoid proceedings being taken by the bank and an execution against the estate, and to save the property from thus being sacrificed, the executors endeavored to obtain a loan to pay off the bank and to provide for the payment of the taxes for the next five years; that they obtained a loan from George Gooderham of Toronto of \$27,000, out of which the indebtedness to the bank and the taxes for 1894 were to be paid for one year, with an agreement on the part of the said George Gooderham, that upon the executors obtaining legislative authority to include in the mortgage the said property known as The Byres, to extend the said loan for four years longer, to pay all taxes in the meantime and to allow the interest to accumulate; that an Act, being chapter 106 of the Acts passed in the 57th year of the reign of Her late Majesty Queen Victoria, was passed to enable the executors of the said John Smith to mortgage the said property; that by indenture, dated the 14th day of October, 1895, the executors and beneficiaries mortgaged the said property in accordance with the said Act; that the said mortgage is overdue, and that the said mortgagee, George Gooderham, has taken proceedings to foreclose the said mortgage; that the executors have been negotiating with parties for the sale of the equity of redemption in the said property; that there is a doubt whether under the provisions of the said will of the said John Smith, deceased, the executors can sell the said equity of redemption, and the parties negotiating for the purchase have raised that objection; that owing to this difficulty the estate is so embarrassed that all those interested therein are liable to lose the whole of the properties of the estate covered by the mortgages to the said

George Gooderham, and that it is for the best interests of the estate that the executors of the estate should be empowered to sell the said property known as The Byres; and whereas the said petitioners have by their said petition prayed that an  
 5 Act may be passed to enable the said lands to be mortgaged or sold as hereinafter set forth; and whereas the Official Guardian of Infants, has examined the subject matter hereof in the interests of the infants interested therein and has approved of the application for the passing of this Act; and  
 10 whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

- 15 **1.** The said William John Smith and Edward Smith, the executors of the estate of the said John Smith, deceased, shall have power to sell or mortgage in fee simple the said lands in such manner and to such extent as they may deem best, and to confer on any purchaser or mortgagee thereof a good title to  
 20 the same as purchaser or mortgagee in fee simple, such sales or mortgages as the case may be to be subject to the approval of a judge of the High Court of Justice upon notice to the said Official Guardian and the conveyances or mortgages to be settled and approved from time to time by the said Official  
 25 Guardian, who is to execute the same for and on behalf of the said infants, and the costs of the Official Guardian of and incidental thereto shall be paid out of the estate in question, to be taxed by the proper officer of the High Court of Justice.
- 30 **2.** Nothing in this Act shall be constructed to affect encumbrances (if any) existing upon or against the said lands, Existing encumbrances not affected.

No. 185.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

An Act to enable the Executors of the late  
John Smith to sell or mortgage certain  
lands in the City of Toronto.

First Reading, 29th March, 1901.

(Private Bill.)

MR. CARTER.

TORONTO:

PRINTED BY L. K. CARRISON.

Printer to the King's Most Excellent Majesty.

An Act to enable the Executors of the late John Smith to sell or mortgage certain lands in the City of Toronto.

**W**HEREAS William John Smith and Edward Smith, both of the City of Toronto, Esquires, the executors and trustees of the last will and testament of John Smith, late of the City of Toronto, Esquire, deceased, Joseph Smith, of the same place, Esquire, Faith Jane Smith, his wife, Sarah Holman, wife of Albert Wallace Holman, of the City of Toronto, butcher, and Frank Joseph Smith, of the City of Toronto, gentleman, and John Smith Holman, Rebecca Smith Holman and Joseph Hugh Pearsall, infants under the age of 21 years, by their next friend, Sarah Holman, have, by their petition represented that the said John Smith died on or about the 24th day of September 1890 possessed of considerable estate, mainly real estate, having first made his last will and testament, which bears date the 28th day of February, 1890 and that the petitioners are all the beneficiaries under the said will interested in the real estate, except Mary Smith, the widow of the testator, and Henrietta Pearsall, a daughter, both of whom have died since the death of the testator, and one Mary Lumbers, whose interest in the estate was forfeited by her under the provisions of the said will, and who now resides in the United States of America; that some of the said adult devisees have only a life estate, there being limitations over to their children, some of whom are under the age of twenty-one years; that the petitioners could not mortgage, under the provisions of the will of the said John Smith, the property known as The Byres, a portion of the estate of the said John Smith, which said property may be more particularly known and described as follows, that is to say—All and singular those certain parcels and tracts of land situate in the City of Toronto, composed of parts of lots numbers fourteen and fifteen in the broken front of the Township of York, and marsh lands appurtenant thereto, described as follows: commencing at the point where the southerly line of the Grand Trunk Railway of Canada intersects the westerly limit of Saulter street, thence southerly along the said westerly limit of Saulter street, and continuing to the line between the lands of the said John Smith and the lands belonging to the Corporation of the City of Toronto, thence

Preamble.

westerly along the said line one thousand two hundred and seventy-five feet more or less to a point where a line drawn parallel to Saulter street southerly from the westerly end of the bridge of the said Grand Trunk Railway over the river Don, would intersect the said line between the lands of the said John Smith and the lands of the said Corporation of the City of Toronto, thence northerly along the said described line to the Don river, thence northerly following the course of the Don river to the southerly line of the said Grand Trunk Railway where it crosses the said Don river, thence north-easterly along the southerly line of the said Grand Trunk Railway to the place of beginning, containing, including dry land and marsh lands, about thirty-one acres; that the whole of the property not specifically devised and which includes the homestead, except the said property known as The Byres, is almost entirely unproductive, and the assessed value thereof was, in 1894, \$24,623; that owing to this fact the taxes upon the said property accumulated, and advances had to be obtained from the bank, from time to time, after the death of the testator, to meet the taxes and the other necessary expenses of managing the estate; that the estate being in debt to the bank to the extent of about \$20,000, almost the entire sum being for taxes, the bank declined to make any further advances and called for payment of the loan: that to avoid proceedings being taken by the bank and an execution against the estate, and to save the property from thus being sacrificed, the executors endeavored to obtain a loan to pay off the bank and to provide for the payment of the taxes for the next five years; that they obtained a loan from George Gooderham of Toronto of \$27,000, out of which the indebtedness to the bank and the taxes for 1894 were to be paid for one year, with an agreement on the part of the said George Gooderham, that upon the executors obtaining legislative authority to include in the mortgage the said property known as The Byres, to extend the said loan for four years longer, to pay all taxes in the meantime and to allow the interest to accumulate; that an Act being chapter 106 of the Acts passed in the 57th year of the reign of Her late Majesty Queen Victoria, was passed to enable the executors of the said John Smith to mortgage the said property: that by indenture, dated the 14th day of October, 1895, the executors and beneficiaries mortgaged the said property in accordance with the said Act; that the said mortgage is overdue, and that the said mortgagee, George Gooderham, has taken proceedings to foreclose the said mortgage; that the executors have been negotiating with parties for the sale of the equity of redemption in the said property; that there is a doubt whether under the provisions of the said will of the said John Smith, deceased, the executors can sell the said equity of redemption, and the parties negotiating for the purchase have raised that objection; that owing to this difficulty the estate is so embarrassed that all those interested therein are liable to lose the whole of the properties of the estate covered by the mortgages to the said

George Gooderham, and that it is for the best interests of the estate that the executors of the estate should be empowered to sell the said property known as The Byres; and whereas the said petitioners have by their said petition prayed that an Act may be passed to enable the said lands to be sold or mortgaged as hereinafter set forth; and whereas the Official Guardian of Infants, has examined the subject matter hereof in the interests of the infants interested therein and has approved of the application for the passing of this Act; and whereas it is expedient to grant the prayer of the said petition:

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**§ 1.** The said William John Smith and Edward Smith, the executors of the estate of the said John Smith, deceased, shall have power to sell the said lands in fee simple in such parcels and in such manner and upon such terms as they may deem best, and shall also have power to mortgage in fee simple the said lands in such parcels and in such manner and to such extent as they may deem best and to confer on any purchaser or mortgagee thereof or of any part thereof a good title to the same as purchaser or mortgagee (as the case may be) in fee simple. Power to sell or mortgage.

**§ 2.** All conveyances and mortgages made under the provisions of this Act shall be settled and approved from time to time by the said Official Guardian, who is to execute the same for and on behalf of the said infants, and the costs of the Official Guardian of and incidental thereto shall be paid out of the estate in question, after the same shall have been taxed by the proper officer of the High Court of Justice. Conveyances to be settled by the official guardian. § 2

**§ 3.** Nothing in this Act shall be constructed to affect encumbrances (if any) existing upon or against the said lands. Existing encumbrances not affected.

No. 185.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

An Act to enable the Executors of the late  
John Smith to sell or mortgage certain  
lands in the City of Toronto.

First Reading: 29th March, 1901.

*(Reprinted as amended by Private  
Bills Committee.)*

Mr. CHARLTON.

TORONTO:

PRINTED BY L. N. CARROLL,

Printer to the King's Most Excellent Majesty.



## The Municipal Amendment Act, 1901.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 17 of *The Municipal Act* is amended by striking out the words "town or village" in the first and second lines and inserting in lieu thereof the words, "or town separated from the county for municipal purposes," and by striking out the words "town or village" in the fifth and eighth lines and inserting in lieu the words, "or town." Rev. Stat. c. 223, s. 17 amended.

2. Section 18 of the said Act is repealed and the following substituted therefor:— Rev. Stat. c. 223, s. 18 repealed.

18. (1) Upon the application of the council of any town or incorporated village or of such number of the owners of any lands therein wholly used for farming purposes as shall represent at least one-half of the amount of the assessed value of all lands included within the limits or area proposed to be withdrawn from such town or village the council of the county in which such town or village is situate may by by-law reduce the area of such town or village and may exclude and detach such farming lands or any portion thereof or any lands situate outside the new limits to be defined by such by-law from the said town or village and annex the same to some adjoining municipality. Separation of farm lands from town or village.

(2) The by-law of the county council shall provide that the terms and conditions of such separation and the adjustment of assets and liabilities with respect to the lands so separated between the municipal corporation of such town or village and the municipality to which such lands shall be annexed shall be settled by agreement between the owners of such lands and the respective municipal corporations interested and that in default of an agreement being arrived at within one month after the passing of such by-law by the county council such terms and conditions and the said adjustment of assets and liabilities and the amount to be paid to the town or village from which such lands have been taken by the municipality to which they have been annexed and the amounts to be received by such municipality from the town or village shall be fixed by three arbitrators, one arbitrator being appointed by the Adjustment of assets and liabilities.

county council to be named in the by-law, another to be named by the council of the town or village, and the county judge shall be the third arbitrator.

Award to be final.

(3) The award of the said arbitrators shall be final and binding.

Fees of arbitrators.

(4) The fees of the arbitrators including the cost of the award shall not in any case exceed \$75, and shall be paid by the county and the town or village municipality in equal shares. 5

Payment of amounts found due by municipalities interested.

(5) After the separation of such lands from the town or village the municipality to which the same shall be annexed shall pay to the town or village from which such lands have been taken such part, if any, of the debts of the town or village as may have been agreed upon or determined by arbitration and shall be entitled to receive from and be paid by the said town or village the value of the interest which at the time of such separation the lands so separated had in the property or assets of the town or village as hereinbefore provided. 10 15

By-law to define limits.

(6) The by-law shall define by metes and bounds the new limits intended for such town or village, but the town or village shall not by such change of boundaries be reduced in population below the number of 750 souls, nor in limits or area below the proportionate limits prescribed by this Act. 20

Status of town or village not affected.

(7) The municipal privileges and rights of the town or village shall not be thereby diminished or otherwise interfered with as respects the remaining area thereof. 25

Not to apply to certain towns.

(8) This section shall not apply to any town which is separated from the county for municipal purposes nor to any town incorporated as such town since the 15th day of August, 1866.

Rev. Stat. c. 223, s. 71a, subs. 2 amended.

3. Subsection 2 of section 71a of *The Municipal Act* enacted by section 2 of *The Municipal Amendment Act, 1898* is hereby amended by adding after the words "provisions of" in the second line thereof the words "subsection 1." 30

Rev. Stat. c. 223, s. 71a amended.

4. The said section 71a is further amended 35

(3a) "At any time after two annual elections have been held under the provisions of subsection (3) of this section, the council of the town or city may, and upon the petition of twenty per cent. of the electors shall at the time of holding an annual election submit a by-law providing for the election of aldermen by wards, as provided in section 71 of this Act, if the said by-law shall receive the assent of a majority of the electors voting thereon. The proceedings in regard to the submission of any such by-law both as to its enactment and repeal shall be as provided in this Act in regard to by-laws requiring the assent of the electors." 40 45

Return to ward system in city or town.

- 5     **5.** Sub-section (4*a*) of section 71*a* of the said Act is amended by striking out the word "later" in the twentieth line of said sub-section and inserting the word "sooner" instead thereof. Rev. stat. c. 223 s. 71*a* subs. 4*a* amended.
- 5     **6.** Section 119 of the said Act is amended by striking out the word "town" in the sixth line thereof. Rev. stat. c. 223 s. 119 amended.
7. Sub-section 2 of section 140 of the said Act is repealed and the following substituted therefor:—
- (2). In the case of cities and towns where the aldermen or councillors are elected by general vote or in two electoral divisions one kind or set of ballot papers shall be prepared for all the polling sub-divisions containing the names of the candidates for mayor and another kind or set shall be prepared for all the polling sub-divisions of the city or town or of each electoral division containing the names of the candidates for aldermen or councillors as the case may be in the city or town or electoral division, and the forms of ballot papers contained in schedule "A" to this Act shall be adapted to the foregoing provisions.
- 10     **8.** Section 142 of *The Municipal Act* is amended by inserting the words "two days" after the word "and" in the fifth line of the said Section. Ballot papers where aldermen are not elected by wards.  
Transmitting county council ballots to officers.
- 15     **9.** Section 6 of *The Municipal Amendment Act, 1900*, is repealed and *The Municipal Act* is amended by inserting therein after section 158 the following section:—
- 20     **158*a*.** In towns and cities where the councillors or aldermen are elected by general vote every elector shall be limited to one vote for the mayor and one vote for each councillor or alderman to be elected for the town or city, and shall vote at the polling place of the polling sub-division in which he is a resident, if qualified to vote therein; or when he is a non-resident or is not entitled to vote in the polling sub-division where he resides, then where he first votes and there only; and in cities where the aldermen are elected in two electoral divisions every elector shall be limited to one vote for mayor and to one vote for each alderman to be elected in each electoral division in which he has been rated for the necessary property qualification and shall vote in the manner hereinbefore prescribed. 63 V c. 33 s. 6 repealed.  
Number of votes which may be given by each elector.
- 30     **10.** Section 159 of *The Municipal Act* is amended by inserting after the word "wards" in the third line thereof the following words, "nor more than once in the township though the township is divided into wards where the election is for the township at large by general vote." Rev. Stat. c. 223 s. 159 amended.
- 40     **11.** The said Act is amended by adding after section 175 the following section:— Rev. stat. c. 223 amended.

Number of agents who may be present at polling

175*a*. In cities where the aldermen are elected by general vote or in two electoral divisions, not more than one agent of any candidate shall be entitled to be present at the same time in any polling place during the voting or at the counting of the votes.

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Rev. stat. c. 223 amended.

12. The said Act is amended by inserting after section 215 the following section:—

Vacancies in council where aldermen elected by general vote.

215*a* (1). In case of a vacancy in the office of alderman in a city occasioned by death or resignation or by any cause where the aldermen are elected by a general vote, the unsuccessful candidate who received the highest number of votes at the last municipal election shall be entitled to the office upon taking the requisite oath of qualification within the time hereinafter prescribed, and in the event of his failure to do so or upon his disclaiming the office, one of the candidates following in regular order as to the number of votes received, shall, in manner hereinafter provided, become entitled to the office on taking the requisite oath of qualification within the time hereinafter limited. In case of a tie in the number of votes cast for two or more of such candidates their order of succession shall be determined by the amounts for which they are respectively rated upon the last revised assessment roll, the candidate having the largest assessment to have the priority. When any such vacancy occurs in the office of alderman it shall be the duty of the city clerk to give immediate notice in writing to the candidate who stands first in succession that he is entitled to such vacant office if he takes the requisite oath of qualification within one week after the giving of such notice, and if such candidate shall fail to take the oath within that period he shall be deemed to have disclaimed the office. If any candidate disclaims or fails to take the requisite oath within the time so limited, the clerk shall give immediate notice in writing to the candidate next in succession in the same terms as the notice to the first candidate until the vacant office has been filled or the list of candidates entitled to take it exhausted. The notice in writing to be given by the city clerk to candidates under this section may be served personally, or by registered letter, addressed to the candidate and a record of such service, or of such mailing and of the address of the letter containing the notice shall be preserved by the clerk.

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Where election by acclamation.

(2) If all the aldermen have been elected by acclamation or no candidate takes the vacant office under provisions contained in the last preceding section the council shall immediately after the time for filling the vacancy under said section has expired, elect one alderman to fill such vacancy for the remainder of the term of the member whose seat has become vacant.

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Rev Stat. c. 223, amended.

13. *The Municipal Act* is amended by adding thereto the following section:—

274b. Whenever the council sees fit to hold an investigation into matters relating to a supposed malfeasance, breach of trust or other misconduct on the part of any officer of the corporation, or of any person having a contract therewith in relation to the duties or obligations of the officers or other persons to the municipality or concerning any matter connected with the good government of the municipality, or the conduct of any part of the public business thereof, and passes a resolution referring such investigation to the mayor or to any committee appointed by the council, the mayor or the chairman of the said committee shall have power to administer oaths to witnesses who may appear for the purpose of giving evidence before such mayor or committee, provided that such investigation and all proceedings thereunder shall be public.

Authorize mayor, etc. to administer oaths.

14. Section 310 of *The Municipal Act* is amended by adding thereto the following as sub-section 3.

Rev. Stat. c. 223, s. 310, amended.

3. When valuers have been appointed under this section the said valuers may ascertain the value of the said real property by inspecting and valuing from five to eight per cent. of the different parcels of land in different parts of each municipality in the county, and upon such inspection and valuation the said valuers shall compare their valuations with the valuations in the last revised assessment roll made by the assessors of the several municipalities within the county, and if upon such comparison it is found that the valuation of the county valuers nearly corresponds in the aggregate with the valuation upon the local assessment roll, the valuers and afterwards the county council shall accept the assessment roll of the local municipality as correct for the purposes of county valuation.

Method of valuing by county valuers.

(a) Where it is found that the valuations of particular lots made by the county valuers differ materially from the valuations of the same lots upon the assessment roll of the local municipality the county valuers shall add or deduct a corresponding percentage to or from the local assessment and a similar method shall be followed with respect to the valuation of real property in towns and villages.

15. Notwithstanding anything contained in *The Municipal Act* or in *The Assessment Act*, the valuers appointed by the county council shall be required to attest their report by oath or affirmation only to the extent of the property actually inspected and valued by them.

Attestation of valuation.

16. Subsection 3 of section 384 of the said Act is amended by prefixing thereto the words, "In the case of a by-law here-

Rev. Stat. c. 223.

tofore or hereafter passed," and by striking out the words "a year" immediately following the word "within" in the second line of the said subsection, and substituting therefore the words "two years," and by striking out the words "one year" in the last line of the said subsection and substituting therefore the words "two years."

Rev. Stat.  
c. 223, s. 433,  
amended.

**17.** Section 433 of the said Act is amended by adding the following sub-section thereto:

Passing one  
by-law for  
several local  
improvements.

(5). Instead of passing individual by-laws as hereinbefore provided, councils may pass one by-law for several local improvement works giving the same information concerning each of such works as would be given in the several individual by-laws, and the passing of one by-law covering several distinct works shall not in any way invalidate the said by-law.

Rev. Stat.  
c. 223, s. 481,  
amended.

**18.** Section 481 of *The Municipal Act* is amended by substituting for sub-section 3 of said section the following sub-section:

(3) The council of any city, with a population of 50,000 or more may by by-law provide for the payment of a reasonable remuneration to the Judge of the County Court for his services as a member of the Board of Commissioners of Police, or for the payment of such remuneration to any one appointed to be a member of the Board while the office of County Judge or Police Magistrate is vacant.

Rev. Stat.,  
c. 223, s. 539,  
amended.

**19.** Section 539 of the said Act is amended by adding at the end thereof "and to provide for the payment of a commutation of such rent or for charging a gross sum in lieu of rent and for the payment of such commutation or gross sum either in cash or by instalments with interest"

Rev. Stat.,  
c. 223, s. 540,  
amended.

**20.** Section 540 of the said Act is amended by striking out the words "having 100,000 inhabitants or more" in the paragraph before subsection 7 of said section.

Rev. Stat.,  
c. 223, s. 542,  
amended.

**21.** Section 542 of the said Act is amended by inserting after subsection 3 of said section the following subsection:—

Inspecting  
and regulat-  
ing electric  
wires, etc

(a) For inspecting wires and other apparatus used or installed for the transmission of electricity for purposes of light or power along the public streets or highways or upon or in any building in the municipality.

Rev. Stat.,  
c. 223, s. 549,  
amended.

**22.** Section 549 of the said Act is amended by adding the following sub-section after sub-section 8:—

(9). For preventing the production or giving of any immoral or indecent play, sketch or performance

in any theatre, hall or other public place of amusement or entertainment. It shall be lawful for any such by-law, in addition to any penalty lawfully imposed, to authorize the chief of police, the deputy chief of police, or any officer specially detailed for that purpose, upon the written instructions of the chairman of the board of police commissioners, to enter any theatre, hall or other place of public amusement or entertainment, and if at the request of such chief of police, deputy chief of police or other officer so detailed as aforesaid, such immoral or indecent play, sketch or performance is not forthwith stopped, to apprehend the performer or performers without warrant, and carry him, her or them as soon as practicable before a justice of the peace.

Immoral  
plays in  
theatres

**23.** Section 557 of *The Municipal Act* is amended by adding the following sub-section thereto:—

Rev. Stat.  
c. 223, s. 557,  
amended.

3. For making annual or other grants of money to the owners or trustees of cemeteries situated within the municipality or any other municipality

Grants to  
cemetery  
trustees.

**24.** Sub-section 5 of section 559 of the said Act is amended by adding thereto the following words :

Rev. Stat.  
c. 223, s. 559,  
subs. 5,  
amended.

And for prohibiting the conveyance of traffic in any but one direction on streets, lanes or alleys which, in the opinion of the council, are too narrow for the passing of one vehicle by another.

Conveyance  
of traffic.

**25.** Sub section 3 of Section 566 of *The Municipal Act* is repealed and the following is substituted therefor:—

Rev. Stat. c.  
223, Sec. 566,  
subs. 3,  
amended.

3. For authorizing any gas, water or pneumatic transit company to lay down pipes or conduits for the conveyance of water, gas or merchandise and other things under streets or public squares, subject to such regulations as the council sees fit.

Authorizing  
gas, water or  
pneumatic  
companies to  
lay down  
pipes.

**26.** Section 583 of *The Municipal Act* is amended by inserting therein immediately after the words "For regulating the assize of bread" the words :

Rev. Stat.  
c. 223, s. 583,  
amended.

Provided however that no such by-law shall apply to bread or the sale thereof in loaves to which are attached labels showing the weight to be not more than the actual weight of the same.

**27.** Section 583 of *The Municipal Act* is further amended by adding thereto the following :

Rev. Stat.  
c. 223, s. 583,  
amended.

By-laws may be passed.

By the councils of towns and of cities having less than 100,000 inhabitants and by the Board of Commissioners of Police in cities having 100,000 inhabitants or more.

Licensing,  
etc. of laun-  
dries.

39. For licensing and regulating laundrymen and laundry companies and for inspecting and regulating laundries, but no such by-law shall apply to or include women carrying on the laundry business in private dwelling houses, and employing female labour only, nor shall any such by-law apply to or include such private dwelling houses. 5

By the councils of cities and towns. 10

40. For fixing the sums to be paid for licenses required under by-laws passed under the preceding paragraph 39.

Rev. Stat. c.  
223, s. 586  
amended.

28. Section 586 of said Act is amended by inserting the following sub-section:—

Milk and  
bread tick-  
ets,  
etc.

(11) For regulating the use of tickets, checks or coupons by vendors of or dealers in milk, bread, or other articles of food. 15

Rev. Stat.  
c. 223, s. 669,  
sub s. 1  
amended.

29. Sub-section 1, of section 669 of *The Municipal Act* is hereby amended by adding thereto the following —“ and any number of different works or improvements may be included in one such notice and will stand good for any one or more that may not be petitioned against that the council may determine to proceed with.” 20

Rev. Stat.,  
c. 223, s. 669,  
amended.

30. The said section 669 of the said Act is further amended by inserting therein after the first paragraph of said section the following subsection:— 25

Personal ser-  
vice of local  
improvement  
notices in  
addition to  
publication.

(1a.) In addition to being given by publication, as provided in the next preceding paragraph, the notice of the intention of the council to undertake any work as a local improvement shall be given to the owners and occupants of the properties benefited thereby, by personal service or by leaving the notice at the places of business or residence of such owners respectively, or by registered letter, or by leaving the same with a grown up person on the premises when the owner's address or residence is unknown; and a declaration of the officer or person charged with the duty of giving any such notice that the same was served or mailed as stated in the declaration, shall be accepted as conclusive evidence of such service or mailing. 30 35

Rev. stat.,  
c. 223, s. 677  
amended.

31 Section 677 of *The Municipal Act* is amended by striking out the word “or” in the second, fifth and eighth lines and inserting the words “or village” after the word “town” in the said lines respectively and by striking out the word “plank” in the third line of said section, and by adding after the word “sidewalk” in the said third line, the following words:— “of the following material, namely;—plank, gravel, 40 45

Laying side-  
walks without  
petitions or  
notice.



cinders, or a combination of any two or more of said materials, with tar and sand."

**32.** Clause (b) of subsection 3 of Section 696 of *The Municipal Act* is hereby amended by striking out in the third and fourth lines of said section the words "to include a sinking fund." Rev. Stat. c. 223, s. 696, sub-s. 3, amended.

**33.** Section 708 of the said Act is amended by striking out all the words therein after the word "corporation" in the fourth line and inserting in lieu thereof the following words: Rev. Stat. c. 223, s. 708, amended.

10 But when the prosecution is brought by a member of the police force or an employee of the municipal corporation or of the local board of health the pecuniary penalty shall be paid to the municipal corporation. If informant an employee whole penalty to municipality.





No. 186.

4th Session, 9th Legislature,  
1 Edward VII, 1901.

BILL.

The Municipal Amendment Act, 1901.

First Reading: 1st April, 1901

MR. DAVIS.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

## The Municipal Amendment Act, 1901.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 17 of *The Municipal Act* is amended by striking out the words "town or village" in the first and second lines and inserting in lieu thereof the words, "or town separated from the county for municipal purposes," and by striking out the words "town or village" in the fifth and eighth lines and inserting in lieu the words, "or town." Rev. Stat. c. 223, s. 17 amended.

2. Section 18 of the said Act is repealed and the following substituted therefor:— Rev. Stat. c. 223, s. 18 repealed.

18. (1) Upon the application of the council of any town or incorporated village or of such number of the owners of any lands therein wholly used for farming purposes as shall represent at least one-half of the amount of the assessed value of all lands included within the limits or area proposed to be withdrawn from such town or village the council of the county in which such town or village is situate may <sup>and</sup> in their discretion but subject as hereinafter mentioned <sup>and</sup> by by-law reduce the area of such town or village and may exclude and detach such farming lands or any portion thereof or any lands situate outside the new limits to be defined by such by-law from the said town or village and annex the same to some adjoining municipality. Separation of farm lands from town or village.

<sup>and</sup>(2) The by-law of the county council shall provide that such reduction of area and detachment or separation of farm lands where the council of the town or village as the case may be opposes the same shall be submitted to and be subject to the award of the arbitrators in subsection (4) hereof mentioned who by their award may approve of, modify or vary, or entirely reject the proposed reduction of area and detachment or separation of farm lands and in the event of entire rejection by the award of the said arbitrators no further proceedings shall be taken under the said by-law and the same shall have no effect. By-law and term to be subject to revision or rejection by arbitrators.

<sup>and</sup>(3) The said by-law of the county council shall further provide that in the event of the proposed reduction of area and Terms of separation.

detachment and separation of farm lands not being entirely rejected by the arbitrators but by their decision taking effect in whole or part, the terms and conditions of such separation and the adjustment of assets and liabilities with respect to the lands so separated between the municipal corporation of such town or village and the municipality to which such lands shall be annexed shall, in default of an agreement being arrived at within one month after the passing of the by-law by the county council, be submitted to the said arbitrators who shall award the amount to be paid to the town or village from which such lands have been taken by the municipality to which they have been annexed and the amounts to be received by such last mentioned municipality from the town or village together with such other terms and conditions as the said arbitrators may impose.

Appointment  
of arbitrators.

(4) One of the said arbitrators shall be appointed by the county council and named in the said by-law; another shall be named by the council of the town or village and the county judge shall be the third arbitrator, and the award of the said arbitrators or a majority of them shall be final and binding.

Fees of arbit-  
rators.

(5) The fees of the arbitrators including the cost of the award shall not in any case exceed \$75, and shall be paid by the county and the town or village municipality in equal shares.

Payment of  
amounts found  
due by muni-  
cipalities in-  
terested.

(6) After the separation of such lands from the town or village the municipality to which the same shall be annexed shall pay to the town or village from which such lands have been taken such part, if any, of the debts of the town or village as may have been agreed upon or determined by arbitration and shall be entitled to receive from and be paid by the said town or village the value of the interest which at the time of such separation the lands so separated had in the property or assets of the town or village as hereinbefore provided.

By-law to  
define limits.

(7) The by-law shall define by metes and bounds the new limits intended for such town or village, but the town or village shall not by such change of boundaries be reduced in population below the number of 750 souls, nor in limits or area below the proportionate limits prescribed by this Act.

Status of town  
or village not  
affected.

(8) The municipal privileges and rights of the town or village shall not be thereby diminished or otherwise interfered with as respects the remaining area thereof.

Not to apply  
to certain  
towns.

(9) This section shall not apply to any town which is separated from the county for municipal purposes nor to any town incorporated as such town since the 15th day of August, 1866.

Rev. Stat. c.  
223, s. 71a.  
subs. 2  
amended.

3. Subsection 2 of section 71a of *The Municipal Act* enacted by section 2 of *The Municipal Amendment Act*,

1898 is hereby amended by adding after the words "provisions of" in the second line thereof the words "subsection 1."

4. The said section 71a is further amended<sup>33</sup> by adding thereto the following subsection :—<sup>37</sup>

Rev. Stat. c. 223, s. 71a amended.

(3a). "At any time after two annual elections have been held under the provisions of subsection (3) of this section, the council of the town or city may, and upon the petition of twenty per cent. of the electors shall at the time of holding an annual election submit a by-law providing for the election of aldermen or councillors by wards, as provided in section 71 of this Act. If the said by-law shall receive the assent of a majority of the electors voting thereon, the council shall thereafter so long as the said by-law remains in force be annually elected as provided in section 71 of this Act. The proceedings in regard to the submission of any such by-law both as to its enactment and repeal shall be as provided in this Act in regard to by-laws requiring the assent of the electors."

Return to ward system in city or town.

5. Sub-section (4a) of section 71a of the said Act is amended by striking out the word "later" in the twentieth line of said sub-section and inserting the word "sooner" instead thereof.

Rev. stat. c. 223 s. 71a subs. 4a amended.

6. Section 119 of the said Act is amended by striking out the word "town" in the sixth line thereof.

Rev. stat. c. 223 s. 119 amended.

7. Sub-section 2 of section 140 of the said Act is repealed and the following substituted therefor :—

Rev. stat. c. 223 s. 140 subs. 2 repealed.

(2). In the case of cities and towns where the aldermen or councillors are elected by general vote or in two electoral divisions one kind or set of ballot papers shall be prepared for all the polling sub-divisions containing the names of the candidates for mayor and another kind or set shall be prepared for all the polling sub-divisions of the city or town or of each electoral division containing the names of the candidates for aldermen or councillors as the case may be in the city or town or electoral division, and the forms of ballot papers contained in schedule "A" to this Act shall be adapted to the foregoing provisions.

Ballot paper where aldermen are not elected by wards.

8 Section 142 of *The Municipal Act* is amended by inserting the words "two days" after the word "and" in the fifth line of the said Section.

Rev. Stat. c. 223, s. 142 amended.  
Transmitting county council ballots to officers.

9. Section 6 of *The Municipal Amendment Act, 1900*, is repealed and *The Municipal Act* is amended by inserting therein after section 158 the following section :—

65 V c. 33 s. 6 repealed.

158a. In towns and cities where the councillors or aldermen are elected by general vote every elector shall be limited

Number of votes which

may be given to one vote for the mayor and one vote for each councillor or by each elector. alderman to be elected for the town or city, and shall vote at the polling place of the polling sub-division in which he is a resident, if qualified to vote therein; or when he is a non-resident or is not entitled to vote in the polling sub-division where he resides, then where he first votes and there only; and in cities where the aldermen are elected in two electoral divisions every elector shall be limited to one vote for mayor and to one vote for each alderman to be elected in each electoral division in which he has been rated for the necessary property qualification and shall vote in the manner hereinbefore prescribed.

Rev. Stat. c. 223 s. 159 amended. **10.** Section 159 of *The Municipal Act* is amended by inserting after the word "wards" in the third line thereof the following words, "nor more than once in the township though the township is divided into wards where the election is for the township at large by general vote.

Rev. Stat. c. 223 amended. **11.** The said Act is amended by adding after section 175 the following section:—

Number of agents who may be present at polling **175a** In cities where the aldermen are elected by general vote or in two electoral divisions, not more than one agent of any candidate shall be entitled to be present at the same time in any polling place during the voting or at the counting of the votes.

Rev. stat. c. 223 amended. **12.** The said Act is amended by inserting after section 215 the following section:—

Vacancies in council where aldermen elected by general vote. **215a** (1) In case of a vacancy in the office of alderman in a city occasioned by death or resignation or by any cause where the aldermen are elected by a general vote, the unsuccessful candidate who received the highest number of votes at the last municipal election shall be entitled to the office upon taking the requisite oath of qualification within the time hereinafter prescribed, and in the event of his failure to do so or upon his disclaiming the office, one of the candidates following in regular order as to the number of votes received, shall, in manner hereinafter provided, become entitled to the office on taking the requisite oath of qualification within the time hereinafter limited. In case of a tie in the number of votes cast for two or more of such candidates their order of succession shall be determined by the amounts for which they are respectively rated upon the last revised assessment roll, the candidate having the largest assessment to have the priority. When any such vacancy occurs in the office of alderman it shall be the duty of the city clerk to give immediate notice in writing to the candidate who stands first in succession that he is entitled to such vacant office if he takes the requisite oath of qualification within one week after the giving of such notice, and if such candidate shall fail to take the oath within that period he shall be deemed to have disclaimed the office. If any

Notice of vacancy who to succeed.



candidate disclaims or fails to take the requisite oath within the time so limited, the clerk shall give immediate notice in writing to the candidate next in succession in the same terms as the notice to the first candidate until the vacant office has been filled or the list of candidates entitled to take it exhausted. The notice in writing to be given by the city clerk to candidates under this section may be served personally, or by registered letter, addressed to the candidate and a record of such service, or of such mailing and of the address of the letter containing the notice shall be preserved by the clerk.

(2) If all the aldermen have been elected by acclamation or no candidate takes the vacant office under provisions contained in the last preceding section the council shall immediately after the time for filling the vacancy under said section has expired, elect one alderman to fill such vacancy for the remainder of the term of the member whose seat has become vacant.

Where election by acclamation.

**14.** Section 310 of *The Municipal Act* is amended by adding thereto the following as sub-section 3.

Rev. Stat. c. 223, s. 310, amended.

3. When valuers have been appointed under this section the said valuers may ascertain the value of the said real property by inspecting and valuing from five to eight per cent. of the different parcels of land in different parts of each municipality in the county, and upon such inspection and valuation the said valuers shall compare their valuations with the valuations in the last revised assessment roll made by the assessors of the several municipalities within the county, and if upon such comparison it is found that the valuation of the county valuers nearly corresponds in the aggregate with the valuation upon the local assessment roll, the valuers and afterwards the county council shall accept the assessment roll of the local municipality as correct for the purposes of county valuation.

Method of valuing by county valuers.

(a) Where it is found that the valuations of particular lots made by the county valuers differ materially from the valuations of the same lots upon the assessment roll of the local municipality the county valuers shall add or deduct a corresponding percentage to or from the local assessment and a similar method shall be followed with respect to the valuation of real property in towns and villages.

**15.** Notwithstanding anything contained in *The Municipal Act* or in *The Assessment Act*, the valuers appointed by the county council shall be required to attest their report by oath or affirmation only to the extent of the property actually inspected and valued by them.

Attestation of valuation

**16.** Subsection 3 of section 384 of the said Act is amended by prefixing thereto the words, "In the case of a by-law here-

Rev. Stat. c. 223.

tofore or hereafter passed," and by striking out the words "a year" immediately following the word "within" in the second line of the said subsection, and substituting therefor the words "two years," and by striking out the words "one year" in the last line of the said subsection and substituting therefor the words "two years."

Rev. Stat.,  
c. 223, s. 433,  
amended.

**17.** Section 433 of the said Act is amended by adding the following sub-section thereto:

Passing one  
by-law for  
several local  
improve-  
ments.

(5). Instead of passing individual by-laws as hereinbefore provided, councils may pass one by-law for several local improvement works giving the same information concerning each of such works as would be given in the several individual by-laws, and the passing of one by-law covering several distinct works shall not in any way invalidate the said by-law.

Rev. Stat.,  
c. 223, s. 481,  
amended.

**18.** Section 481 of *The Municipal Act* is amended by substituting for sub-section 3 of said section the following sub-section:

Remuneration  
of police com-  
missioners

(3) The council of any city with a population of 50,000 or more may by by-law provide for the payment of a reasonable remuneration to the Judge of the County Court for his services as a member of the Board of Commissioners of Police, or for the payment of such remuneration to any one appointed to be a member of the Board while the office of County Judge or Police Magistrate is vacant.

Rev. Stat.,  
c. 223, s. 539,  
amended.

**19.** Section 539 of the said Act is amended by adding at the end thereof "and to provide for the payment of a commutation of such rent or for charging a gross sum in lieu of rent and for the payment of such commutation or gross sum either in cash or by instalments with interest"

Rev. Stat.,  
c. 223, s. 540,  
amended.

**20.** Section 540 of the said Act is amended by striking out the words "having 100,000 inhabitants or more" in the paragraph before subsection 7 of said section, ~~and~~ and insert in lieu thereof the words "or towns."<sup>33</sup>

Rev. Stat.,  
c. 223, s. 542,  
amended.

**21.** Section 542 of the said Act is amended by inserting after subsection 3 of said section the following subsection:—

Inspecting  
and regulat-  
ing electric  
wires, etc

(a) For inspecting wires and other apparatus used or installed for the transmission of electricity for purposes of light or power along the public streets or highways or upon or in any building in the municipality.

Rev. Stat.,  
c. 223, s. 549,  
amended.

**22.** Section 549 of the said Act is amended by adding the following sub-section after sub-section 8:—

(9). For preventing the production or giving of any immoral or indecent play, sketch or performance

in any theatre, hall or other public place of amusement or entertainment. It shall be lawful for any such by-law, in addition to any penalty lawfully imposed, to authorize the chief of police, the deputy chief of police, or any officer specially detailed for that purpose, upon the written instructions of the chairman of the board of police commissioners, to enter any theatre, hall or other place of public amusement or entertainment, and if at the request of such chief of police, deputy chief of police or other officer so detailed as aforesaid, such immoral or indecent play, sketch or performance is not forthwith stopped, to apprehend the performer or performers without warrant, and carry him, her or them as soon as practicable before a justice of the peace.

Immoral plays in theatres.

**23.** Section 557 of *The Municipal Act* is amended by adding the following sub-section thereto :—

Rev. Stat. c. 223, s. 557, amended.

3. For making annual or other grants of money to the owners or trustees of cemeteries situated within the municipality or any other municipality

Grants to cemetery trustees.

**24.** Sub-section 5 of section 559 of the said Act is amended by adding thereto the following words :

Rev. Stat. c. 223, s. 559, subs. 5, amended.

And for prohibiting the conveyance of traffic in any but one direction on streets, lanes or alleys which, in the opinion of the council, are too narrow for the passing of one vehicle by another.

Conveyance of traffic.

**25.** Sub section 3 of Section 566 of *The Municipal Act* is repealed and the following is substituted therefor :—

Rev. Stat. c. 223, s. c. 566, subs. 3, amended.

3. For authorizing any gas, water or pneumatic transit company to lay down pipes or conduits for the conveyance of water, gas or merchandise and other things under streets or public squares, subject to such regulations as the council sees fit.

Authorizing gas, water or pneumatic companies to lay down pipes.

**26.** Section 583 of *The Municipal Act* is amended by inserting therein immediately after the words "For regulating the assize of bread" the words :

Rev. Stat. c. 223, s. 583 amended.

Provided however that no such by-law shall apply to bread or the sale thereof in loaves to which are attached labels showing the weight to be not more than the actual weight of the same.

**27.** Section 583 of *The Municipal Act* is further amended by adding thereto the following :

Rev. Stat. c. 223, s. 583, amended.

By-laws may be passed.

By the councils of towns and of cities having less than 100,000 inhabitants and by the Board of Commissioners of Police in cities having 100,000 inhabitants or more.

Licensing,  
etc., of laun-  
dries.

39. For licensing and regulating laundrymen and laundry companies and for inspecting and regulating laundries, but no such by-law shall apply to or include women carrying on the laundry business in private dwelling houses, and employing female labour only, nor shall any such by-law apply to or include such private dwelling houses.

By the councils of cities and towns.

40. For fixing the sums to be paid for licenses required under by-laws passed under the preceding paragraph 39.

Rev. Stat. c.  
223, s. 586  
amended.

28. Section 586 of said Act is amended by inserting the following sub section:—

Milk and  
bread tickets,  
etc.

(11) For regulating the use of tickets, checks or coupons by vendors of or dealers in milk, bread, or other articles of food.

Rev. Stat.  
c. 223, s. 669,  
sub-s. 1  
amended.

29. Sub-section 1, of section 669 of *The Municipal Act* is hereby amended by adding thereto the following —“ and any number of different works or improvements may be included in one such notice and will stand good for any one or more that may not be petitioned against that the council may determine to proceed with.”

Rev. Stat.,  
c. 23, s. 669,  
amended.

30. The said section 669 of the said Act is further amended by inserting therein after the first paragraph of said section the following subsection:—

Personal ser-  
vice of local  
improvement  
notices in  
addition to  
publication.

(1a.) In addition to being given by publication, as provided in the next preceding paragraph, the notice of the intention of the council to undertake any work as a local improvement shall be given to the owners and occupants of the properties benefited thereby, by personal service or by leaving the notice at the places of business or residence of such owners respectively, or by registered letter, or by leaving the same with a grown up person on the premises when the owner's address or residence is unknown: and a declaration of the officer or person charged with the duty of giving any such notice that the same was served or mailed as stated in the declaration, shall be accepted as conclusive evidence of such service or mailing.

Rev. stat.,  
c. 223, s. 677  
amended.

31 Section 677 of *The Municipal Act* is amended by striking out the word “or” in the second, fifth and eighth lines and inserting the words “or village” after the word “town” in the said lines respectively and by striking out the word “plank” in the third line of said section, and by adding after the word “sidewalk” in the said third line, the following words:— “of the following material, namely:—plank, gravel,

Laying side-  
walks without  
petitions or  
notice.

or cinders, or a combination of any one or two of such materials, with tar and sand."

**32.**—(1) Any municipality or any two or more municipalities in this Province may agree with the National Sanatorium Association (hereinafter called the Association) for the establishment and maintenance by the Association of a Sanatorium for the treatment of consumptives, and the municipalities shall have similar powers to those conferred by chapter 57 of the Statutes of Ontario for the year 1900, intituled *An Act respecting Municipal Sanatoria for Consumptives*, with respect to procuring plans, estimates and other information and the basis for establishing such Sanatorium, and the location thereof within or without the municipality, and the passing of by-laws to raise the monies, if any, proposed to be paid or contributed by the municipality in respect of the Sanatorium and to the issue of debentures therefor. Establishment of consump- tion hospitals.

(2) The plans, estimates and agreement and proposed site shall be submitted for the approval of the Provincial Secretary in a similar manner to that provided for by section 3 of said Act, and upon such approval being given the said agreement shall be valid and may be acted on.

(3) Provided always that the parties to such agreement may make such changes in, or modifications thereof, as may be required by the Provincial Secretary as a condition to his approval.

(4) Sections 11, 12 and 13 of said Act shall apply to any Sanatorium established under the foregoing sections of this Act and to the trustees of the said Association.

**33.** Subsection 1 of section 673 of *The Municipal Act* is amended by adding thereto the words "or may assess and levy the cost thereof by a special rate upon the lands benefited thereby instead of by a frontage rate. The provisions of this section shall apply to sewers heretofore constructed as well as to those hereafter constructed." Rev. Stat. c. 223, s. 673, subs. 1, amended.

**34.** Subsection 2 of section 673 of *The Municipal Act* is amended by striking out the words and figures "671 and 672" in the last line of the said subsection and substituting therefor the words and figures "674 and 675." Rev. Stat. c. 223, s. 673.

**35.** Clause (b) of subsection 3 of Section 696 of *The Municipal Act* is hereby amended by striking out in the third and fourth lines of said section the words "to include a sinking fund." Rev. Stat. o. 223, s. 696, sub-s. 3, amended.

**36.** Section 708 of the said Act is amended by striking out all the words therein after the word "corporation" in the fourth line and inserting in lieu thereof the following words: Rev. Stat. c. 223, s. 708, amended.

If informant  
an employee  
whole penalty  
to municipi-  
pality.

But when the prosecution is brought by a member of the police force or an employee of the municipal corporation or of the local board of health the pecuniary penalty shall be paid to the municipal corporation.



No. 186.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

The Municipal Amendment Act, 1901.

First Reading, 1st April, 1901  
Second Reading, 2nd April, 1901.

*(Reprint as amended in Committee of the  
Whole.)*

Mr. DAVIS.

TORONTO:  
PRINTED BY L. K. CAMERON,  
Printer to the King's Most Excellent Majesty.



## An Act to amend The Ontario Insurance Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. —(1) Subsection 1 of section 2 of *The Ontario Insurance Act* is amended by inserting in the first line after the word “expenses” these words, “and all fees, allowances” Rev. Stat. c. 203, s. 2 (1) amended.
- (2) Subsection 5 of the said section 2 is amended by inserting in the sixth line of the said subsection after the word “creditor” these words, “in a winding up or liquidation under this Act.” The said subsection is further amended by adding at the end thereof the following words:— Rev. Stat. c. 203, s. 2 (5) amended.
- “Provided (a) That in such winding up or liquidation no beneficiary under an unmatu red policy (not being also the policyholder, or a beneficiary for value), shall be entitled to rank as creditor or to claim in respect of such policy. Proviso (a) beneficiary under unmatu red policy not a creditor.
- “Provided also (b), That, in a friendly society registered as such under this Act, no unmatu red policy or contract of insurance shall create any claim or liability against the society, while a going society, or against the estate of the society in a winding up or liquidation under this Act: but in such a winding up or liquidation the person assured or the beneficiary for value under such unmatu red policy or contract shall be entitled to share in the surplus assets of the society as provided in sub-section 4 of section 183 hereof, or sub-section 5 of section 191 hereof, as the case may be. Proviso (b) unmatu red policies not to create liability against Friendly Society.
- “Provided also (c), That in the case of any insurance corporation (other than a registered friendly society) where the corporation is licensed under section 53 hereof or is being wound up hereunder, every contract of annuity upon life and every unmatu red policy or contract of life (including endowment or tontine) insurance required to be valued from time to time for a true showing of the corporation’s liabilities, or entitled to be valued in a winding up hereunder shall be valued in the manner provided by schedule F hereto. Proviso (c) Mode of valuing policies required or entitled to be valued.
- (3) Clause (c) of sub-section 41 of the said section 2 is amended by inserting in the second line after the word “expectancy” these words “or expectation or probability.” Rev. Stat. c. 203, s. 2 (41 c) amended.

Rev. Stat. c. 203, s. 2 (47) amended. (4) Sub-section 47 of the said section 2 is amended by adding at the end thereof these words: "and the word 'unmatured' designates a contract as before such maturity."

Rev. Stat. c. 203, s. 2 (55) amended. (5) Sub section 55 of the said section 2 is amended by adding at the end thereof these words:—

"Unearned premium." "Unearned premium" is that part of the last prepaid premium which is repayable to the assured where, between two premium days, the policy or contract of insurance has been terminated by the act of the insurer, or by a winding up or liquidation hereunder. The part so repayable shall be proportionate to the unexpired part of the year or other definite and certain period in respect of which the said premium was prepaid: provided that no person shall be entitled both to have a policy valued and also to claim for an unearned premium.

"Premium" or "net premium" or "pure premium" in valuation of policy. "For purposes of valuing any policy or contract of life insurance required or entitled to be valued under this Act 'premium' or 'net premium' or 'pure premium' has the same meaning as the word 'premium' in the fourth clause of Schedule F hereto."

The five preceding sub-sections are declaratory. (6) The five preceding sub-sections of this section are to be deemed and construed to declare the law of the Province as the said law existed on, and has existed since, the fourteenth day of April, 1892.

Rev. Stat. c. 203, s. 41 (5) amended. 2. (1) Subsection 5 of section 41 of *The Ontario Insurance Act* is amended by substituting in the seventh line the words "one-tenth" for the words "one fifth."

Rev. Stat. c. 203, s. 43 (1) amended. (2) Sub-section 1 of section 43 of the said Act is amended by adding at the end of the said sub-section the following words:—

"Provided," "Provided, that sections 44 to 52 inclusive shall not apply to registered friendly societies: provided also, that in the case of a registered friendly society any deposit made under this Act shall not make any unmatured policy or contract of insurance a liability against the society while a going society, or against the estate of the society in a winding up or liquidation under this Act: but in such winding up or liquidation the persons assured under such unmatured policies or contracts shall be entitled to share in the surplus assets of the society as provided in sub-section 4 of section 183 hereof or sub-section 5 of section 191 hereof, as the case may be."

Rev. Stat. c. 203, s. 148 (2) amended. "Provided." (3) Sub-section 2 of section 148 of the said Act is amended by adding at the end thereof these words:—

"Provided that no such action or proceeding shall be commenced after the expiration of the said year and six months."

Rev. Stat. c. 149 (2) amended. (4) Sub-section 2 of section 149 of the said Act is amended by adding at the end thereof the following words:—

"To facilitate the use of the H<sup>m</sup> tables of the said Institute of Actuaries for any purpose of this Act the said tables may be taken as they appear in any published edition or collection of standard actuarial or valuation tables."

5 (5) Subsection 3 of section 151 of the said Act is amended by inserting after the word "value" in the eleventh line these words: "but a beneficiary shall only be deemed a beneficiary for value when he is expressly stated to be so in the policy." Rev. Stat. s. 151 (3), amended.

10 (6) Subsection 2 of section 160 of the said Act is amended by adding at the end of the subsection these words: "But no beneficiary shall be deemed to be a beneficiary for value unless in the policy expressly stated to be so" Rev. Stat. c. 203, s. 160 (2), amended.

15 (7) Subsection 6 of section 151 of the said Act is amended by striking out all the words of the said subsection after the words "assured" in the sixth line, and by substituting therefor the following words: "The insurance shall be for the benefit in equal shares of the surviving infant children of the assured, and if no surviving infant children, then the benefit of the contract and the insurance money shall form part of the estate of the assured." Rev. Stat. c. 203, s. 151 (6), amended.

20 (8) Subsection 4 of section 155 of the said Act is amended by adding at the end of the said subsection the following words: "In ascertaining the fees payable under this subsection the wearing apparel and similar personal effects of the assured shall not be deemed part of the estate of the assured" Rev. Stat. c. 203, s. 155 (4), amended.

(9) Subsection 4 of section 191 of the said Act is amended by inserting, after the words "expiry of the term" in the eighteenth line the following words:

30 "In the case of annuities on lives or of unmatured policies of life insurance, (including therein endowment and tontine insurance) any annuity or such unmatured policy issued by a corporation licensed under section 53 hereof, shall if valid and subsisting at the commencement of the winding up, be entitled to rank on the said second Schedule for the value ascertained according to the Schedule F. hereto; in the case of all other unmatured policies issued by any corporation which is being wound up hereunder, the policy if valid and subsisting at the commencement of winding up shall be entitled to rank on the said second Schedule for the unearned premium (if any) as provided in subsection 55 of section 2 hereof. On the distribution of the assets of the estate the distributive sum payable in respect of any annuity or unmatured policy shall be paid respectively to the annuitant or to the policyholder (or the beneficiary for value if any) or to their respective assigns."

45 **3. (1)** Section 192 of *The Ontario Insurance Act* is amended by inserting after subsection 1 a new subsection (to be numbered 1a) as follows:— Rev. Stat. c. 203, s. 192 amended.

"1a. Where in any winding up or liquidation under this Act "Payment into Court

where liability is admitted but the person entitled is in dispute." Cf. Imp. Act, 59 V. c. 8, secs. 3, 4.

the liability of the estate is admitted, but the person to whom the estate is liable is disputed or uncertain or where in the opinion of the Insurance Registrar no sufficient discharge to the estate for the liability can be had, the amount of the liability (or as the case may be) of the dividends payable on the liability shall be paid into Court, or set aside out of the funds already in Court, and shall in the books of the Accountant of the Supreme Court of Judicature be entered as to the credit of claim arising under Policy No. of the corporation, or as the case may be; and for such payment into Court or setting aside out of the funds already in Court the Master shall have authority to make any order or direction that is necessary. The receipt or certificate of the said Accountant shall be a sufficient discharge to the estate and the receiver for the moneys so paid into court or set aside. For the payment out of court of such moneys any person claiming to be entitled thereto may make before a Judge of the High Court a motion entitled as in the matter of this Act and of Policy No. of the corporation (or according to circumstances) and the Judge shall make such order or such disposition of the matter as the case shall require; but the estate or the receiver shall not be a necessary party to any such motion or to any proceedings relating to the disposal of the said moneys."

Rev. S. c. 203, s. 193 (1) amended.

(2) Sub-section 1 of section 193 of the said Act is amended by striking out all the words of the said sub-section after the words "situate" in the eighth line down to and including the words "day of filing" in the tenth line, and by substituting therefor the following words:—"And in two of the daily newspapers published in the city of Toronto the receiver shall give notice of the date of filing; the receiver shall also forthwith serve a copy of the report on the Insurance Registrar bearing indorsed thereon notice of the said date of filing"

Rev. Stat. s. 193 (2) amended.

(3) Sub-section 2 of the said section 193 is amended by striking out all the words of the said sub-section down to and including the word "Court" in the third line, and by substituting therefor the following words:—" (2) At the expiration of fourteen days from the date of serving such indorsed copy of the report on the Insurance Registrar the report shall become absolute unless notice of appeal by any party interested is served within that time, and"

Rev. Stat. s. 193 (3) amended.

(4) Sub section 3 of the said section 193 is amended by inserting after the word "Registrar" in the first and the seventh lines respectively, these words "or their respective assigns."

Rev. Stat. s. 194 amended.

(5) Section 194 is amended by adding thereto sub-section 6 as follows:

"(6) Without a fiat of the Attorney-General being first had and obtained for the purpose, no action or proceeding in any Court of law or equity shall be brought or taken against the Insurance Registrar (including Inspector of Insurance and Registrar or Friendly Societies) for anything done or not done

in the performance, or intended or supposed performance, of his duty under this Act or under any other Act that imposes duties upon the said officer." U. L. Corp. Act, s. 114, as amended by 62 V. (2) c. 22, s. 4 (2).

5 4. Sub-section 1 of section 92 of *The Ontario Insurance Act* is hereby repealed and the following sub-section is substituted therefor:

Rev. Stat.  
s. 92, repealed  
and new sub-  
section sub-  
stituted.

Investment  
of surplus.

92. (1) The surplus insurance funds of a Provincial insurance corporation, or of a branch or lodge thereof shall in the name  
10 of the corporation, branch or lodge be loaned upon or invested in securities which are a first charge on land held in fee simple or shall be invested in the public stock, funds or Government securities of the Dominion of Canada or of any Province of Canada, or in securities guaranteed by either the said Dominion  
15 or Province, or in the public stock, funds or Government securities of the United Kingdom, or (or such securities being in other respects reasonable and proper) in terminating debentures of any municipal corporation in the Dominion of Canada, or in the terminating debentures of any society or company incor-  
20 porated under the Act respecting Building Societies or any Act of the Province consolidating the said Act, or any society or company incorporated or constituted under *The Loan Corporations Act*, or in terminating debentures of any society, or company in which, under the law of the  
25 Province, trustees may invest trust funds; or in the terminating debentures of incorporated companies which have, in the Dominion of Canada, been for at least five consecutive years actually supplying gas, water, heat, light, power, or electricity to the public or to any municipal corporation; or  
30 terminating debentures of steam or electric railway companies, or of street railway companies (by whatever power operated), or of telegraph or telephone companies, but so that the loan or loans upon the security of, or the purchase or investment in the debentures of any of the societies or companies mentioned  
35 in the present subsection shall not in the aggregate exceed one-fifth of the paid-up capital of the society or company issuing such debentures; or the said surplus insurance funds shall remain deposited (whether with or without interest) in the name of the corporation in a post-office savings bank or in any  
40 chartered bank of Canada, or in any building society or loan company in Ontario by any Act of Ontario, or of the Dominion of Canada duly authorized to receive deposits.

SCHEDULE F.—(R.S.O. 1897, c. 203, s. 2 (5)).

45

RULE FOR VALUING AN ANNUITY.

(1). An annuity required or entitled to be valued under *The Ontario Insurance Act* shall (irrespective of the state of the health of the annuitant or nominee) be valued according to the table known as the Hm table of the Institute of Actuaries of

Great Britain, interest being reckoned at the rate of four per centum per annum, and the age of the life being taken as at the nearest birthday. Cf. Ont. Ins. Act, s. 149 (3) continuing 52 V. (1889) c. 32, s. 6 (3).

RULE FOR VALUING A POLICY OR CONTRACT OF LIFE INSURANCE. 5

(2). The value of a policy or contract of life insurance required or entitled to be valued under *The Ontario Insurance Act* is (irrespective of the state of health of the assured or policy-holder) the difference between the present value of the reversion in the sum insured, (including any bonus or addition thereto made before the commencement of the winding up), and the present value of the future net annual premiums. 10

(3). Such present value shall be computed according to both the tables and the rate of interest mentioned in sub-section 2, of section 149, of *The Ontario Insurance Act*. 15

(4). The premium to be calculated is such net or pure premium as according to the said tables, and said rate of interest is sufficient to provide for the risk incurred by the insurer in issuing the policy or contract exclusive of any loading or addition for office expenses and other charges. 20

(5). The present value of the reversion at any age is the net single premium that, according to the said tables and said rate of interest, is equivalent to the present value of the net annual premium payable at that age and so long thereafter as required by the policy or contract. Cf. Ont. Ins. Act s. 149 (2), 25 continuing 52 V. (1889) c. 32, s. 3; and 55 V. (1892) c. 39, s. 34 (2); Imp. Act 35-6, V. c. 41, 1st Schd.



No. 187.

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4th Session, 9th Legislature,  
1 Edward VII, 1901.

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BILL.

An Act to amend The Ontario Insurance  
Act.

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First Reading, 1st April, 1901.

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THE ATTORNEY-GENERAL.

TORONTO:

PRINTED BY L. K. CAMERON.

Printer to the King's Most Excellent Majesty.



## An Act amending The Saw Logs Driving Act

**HIS MAJESTY**, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 17 of *The Saw Logs Driving Act* is amended by adding the following sub-section thereto:—

Rev. Stat.  
c. 143 s.17  
amended.

“4. If at the time of the service of the notice the major portion of the logs have been cut into lumber or have been sold or removed from the last county or district in which they were driven and the person notified does not within the ten days appoint an arbitrator, the Chief Justice of any of the divisions of the High Court of Justice shall on the application of the person giving the notice appoint a second arbitrator, and if the two arbitrators do not within the said period of ten days appoint a third, any such Chief Justice shall on the application of either party appoint the third arbitrator.”

Where logs  
have been cut  
into lumber or  
sold.

2. Section 27 of the said Act is amended by adding the following words:—

Rev. Stat.  
c. 143 s.27

“Provided, however, that in the event of such claims arising between the same parties in two or more successive seasons then the same shall be so made within one year after the last of such claims has arisen.”

When claims  
to be made.

3. Sections 18, 19, 21, and 26 of the said Act are amended by inserting therein after the word “magistrate” wherever it occurs in the said sections the words “or Chief Justice.”

Rev. Stat.  
c. 143, ss. 18,  
19, 21, 26.  
amended.

No. 188.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

An Act amending The Saw Logs Driving  
Act.

First Reading, 1st April, 1901.

ME. DAVIS.

TORONTO:

PRINTED BY L. K. CAMERON,  
Printer to the King's Most Excellent Majesty.

An Act to amend the Act respecting the settlement by Arbitration of Accounts between the Dominion of Canada and the Provinces of Ontario and Quebec and between the said two Provinces.

**W**HEREAS certain questions are still depending between the Dominion of Canada and the Province of Ontario, in the Arbitration provided for by chapter 6 of the Statutes of Canada of 1891, and by chapter 2 of the Statutes of Ontario of 1891; and whereas it is desirable that in respect of all such question further provision should be made for the guidance of the Arbitrators appointed under said Acts, and in respect of appeals from the decisions of the said Arbitrators:

Preamble.

Therefore His Majesty by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** From and after the passing of this Act, the said arbitrators shall, in respect of all questions thereafter arising in the said arbitration, in the determination of which the Dominion of Canada and the Province of Ontario only are interested, have jurisdiction to determine, and shall determine all questions, both of fact and of law, and their decisions in respect of questions of fact shall be final and conclusive; but their decisions in respect of questions of law presented or arising for their adjudication, including the question whether any such question presented is a question of law, shall be subject to appeal to the Supreme Court of Canada, and thence to His Majesty in His Privy Council, in case His Majesty is pleased to entertain the appeal; and section 6 of Chapter 2 of the Statutes of Ontario of 1891 shall not apply to the determination of any of such questions and matters arising after the passing of this Act.

Matters which may be determined by arbitrators.

**2.** When the Legislature of Quebec has passed an Act agreeing to the provisions of this Act, all questions thereafter arising in the said arbitration, in the determination of which the Province of Quebec is interested, either as between the Dominion of Canada and the Provinces of Ontario and Quebec, or between the Dominion of Canada and the Province of Quebec, or between the Provinces of Ontario and Quebec, shall be subject to the provisions hereof, in respect of all such questions.

Concurrent legislation of Province of Quebec.

Commence-  
ment of Act.

**3.** This Act shall go into effect on such day as the Lieutenant Governor-in-Council may by proclamation appoint, and not before.



No. 189.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL

An Act to amend the Act respecting the settlement by Arbitration of Accounts between the Dominion of Canada and the Provinces of Ontario and Quebec and between the said two Provinces.

First Reading, 2nd April, 1901.

Mr. ROSS.

TORONTO.

PRINTED BY L. K. CAMERON.

Printer to the King's Most Excellent Majesty.

An Act respecting Aid by Land Grant to the Manitoulin and North Shore Railway Company.

WHEREAS the Manitoulin and North Shore Railway Company, hereinafter called the "Company," has been duly incorporated by the Parliament of Canada and is empowered to construct a line of railway from  
5 Little Current northward 160 miles, and a branch line from a point on the said line of railway to Sudbury, and also from Little Current thence south-easterly to a point on the south shore of Fitzwilliam Island, and from a point near Tobermory  
10 thence south and easterly to Meaford, passing through or near Wiarton and Owen Sound; and whereas the said line of railway will furnish much needed railway facilities for Manitoulin Island, and important portions of the Districts of Algoma and Nipissing; and whereas the said line of railway will aid materially in developing the resources of the said Districts and in  
15 securing to the Province the benefits arising from the extensive development operations which are to be carried on in the said districts; and whereas the said line of railway will furnish new and direct means of communication between the older settled part of the Province of Ontario and that part of the  
20 Province commonly referred to as New Ontario and with Manitoba and the North-West Territories, and whereas it is intended that running powers over the said railway shall be reserved and given to all other railway companies connecting with the said railway so as to afford facilities for the develop-  
25 ment of trade between the older settled part of the Province and the country through which the said railway is to be constructed.

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts  
30 as follows:—

1. The Lieutenant Governor-in-Council may set apart out of the ungranted lands of Ontario and within the District of Algoma and grant as subsidies to the company—10,000 acres of land per mile of the company's line of railway from Meaford  
35 to Owen Sound, a distance of 21 miles.

10,000 acres of land per mile of said line of railway from Wiarton, passing through the Town of Little Current, in the District of Manitoulin, to White Fish River, in the District of Algoma, a distance of 105 miles of railway or thereabouts;

10,000 acres of land per mile for the company's steam car ferry line from Tobermory or some other suitable harbour on the north shore of the county of Bruce to Fitzwilliam Island or to the south-east shore of Manitoulin Island, a distance of 15 miles or thereabouts: 5

7,400 acres of land per mile of said line of railway from White Fish River to Onaping, a distance of 45 miles or thereabouts:

7,400 acres of land per mile of said line of railway from a point on the said railway at or near the south east corner of the township of Trill. to Sudbury, a distance of 30 miles or thereabouts; and

7,400 acres of land per mile of the said line of railway from the said point at or near the south east corner of the township of Trill to a point 85 miles westerly towards Michipicoten or Bahewana Bay.

2. The said lands shall be set apart in alternate blocks of one or more not exceeding three townships of six miles square within a distance of eighteen miles of the Company's railway or any extension or branches thereof, or within eighteen miles of the main line of the Canadian Pacific Railway between Onaping station and Chapleau station, or within eighteen miles of any other line of railway within the said district connecting with the Manitoulin and North Shore Railway, or in such other localities within the district of Algoma as may be designated by the Lieutenant-Governor in Council. Each township or block shall contain as nearly as may be 23,040 acres or multiples thereof, but not exceeding 69,120 acres, subject to such modifications as may be necessary for purposes of survey or other purposes required by the Commissioner of Crown Lands. 25 30

3. None of such lands between the main line and the Sault branch of the Canadian Pacific Railway shall be so set apart east of the township of Trill or of its eastern boundary produced due north and south.

4. The location of the lines of the company's railway for 35 the construction of which the said subsidies are granted shall be subject to the approval of the Commissioner of Public Works, having regard to the feasibility of the route and engineering difficulties of construction.

Survey of granted lands

5. The unsurveyed, lands to be granted shall be surveyed by the company, and the plans and field notes thereof filed in the Department of Crown Lands, and such work shall be done at the company's own expense; the surveys shall be in accordance with the system of surveys prescribed for the crown lands on the north shores of lakes Huron and Superior and shall be subject to the inspection and approval of the Commissioner of Crown Lands. 40 45

When grant to be made.

6. Upon the construction and completion of any section of the railway not less than ten miles in length, so as to admit the regular running of trains thereon, and upon the furnishing such equipment therefor as shall be required for traffic, the Lieutenant-Governor in Council, upon the request of the com-



pany shall grant to the company the lands applicable to such section according to the appropriation thereof made as hereinbefore provided, but subject to the provisions of this Act.

7.—(1) The lands hereinbefore set forth to be granted to the company shall be granted in fee simple, and such grant shall include all ores, mines and minerals, base and precious

(2) The lands granted to the company shall be subject to all the provisions of *The Mines Act* and to all regulations made or to be made thereunder, saving and excepting Parts II. and III. thereof.

(3) All red and white pine timber on lands granted to the company shall be reserved to the Crown and be the property of His Majesty, and the same may be placed under timber license and grant to licensees of the Crown; and the right may be granted by the Crown to enter upon the said lands, make roads thereon and do all things necessary to the removal of the said pine timber.

(4) Where said lands shall have been duly and legally sold by the company or settled upon, the purchasers or settlers thereof or thereon shall have the right to cut and use such pine timber as they may require for mining purposes or for building and fencing on the land on which they are settled, and may also cut and dispose of all pine trees required to be removed in the actual clearing of such land, but no pine trees (except for the purposes aforesaid) shall be cut beyond the limit of such actual clearing, and pine trees cut in the process of clearing and disposed of shall be subject to the payment of the same dues as are at the time payable by the holders of licenses to cut timber or saw logs, but townships valuable for pine shall not be opened by the company for settlement without the consent of the Commissioner of Crown Lands.

(5) In case any portion of the said blocks of land laid out for the company are found to contain only scattered pine timber so that in the opinion of the Commissioner of Crown Lands such pine is not of sufficient value to justify its being put up for sale, the company shall have the right with the approval of the Commissioner to cut the timber on such lands, but shall pay in respect thereof the same dues as are payable by Crown timber licensees.

8.—(1) Where a block of land allotted to the company includes within its limits lands located or claimed by settlers or others having any right or interest therein under any Act of this Province either as purchasers from the Crown or as *bona fide* applicants therefor the lands so settled upon, purchased or applied for shall not be included in the block of land allotted to the company, but the company shall be entitled to an equal acreage of other lands in lieu thereof to be allotted in the manner provided in sub-section 2 hereof.

When block includes settled lands.

Where lands  
through  
which railway  
runs are  
valueless.

(2) In the case of any lands which in the opinion of the Commissioner of Crown Lands are unfit for settlement or absolutely valueless for any other purpose, other lands may be set apart and substituted therefor, and the Lieutenant-Governor-in-Council may grant such other lands to the company in lieu of the lands for which they are substituted. 5

(3) Where the pine has not already been sold in townships or blocks allotted to the company, or in the adjoining townships the right to cut such pine on such townships so allotted and on the adjoining townships shall upon the request of the company be offered for sale by public auction subject to the usual conditions and regulations respecting sales of the right to cut timber on Crown Lands. 10

(4) The right to cut the pine upon the said townships or blocks allotted to the company as well as that on the adjoining townships or blocks shall be sold subject to the condition that a part of the same shall be cut each year and that all shall be removed within such period not exceeding ten years as the Commissioner of Crown Lands prescribes, and any pine remaining uncut at the expiration of the said period on lands granted to the said company shall become the absolute property of the said company but it shall pay in respect thereof the same dues as are payable by Crown timber licensees. 15 20

(5) Where the pine and other timber on such alternate blocks or townships have been sold prior to the passing of this Act under regulations respecting sales of the right to cut timber on Crown Lands or where any persons or corporations have acquired any rights to any of the timber on such blocks or townships or portions thereof under any act of this Province the company if it select such townships or said portions thereof shall hold the same subject to all the rights and privileges of such person or persons corporation or corporations so holding such interests therein, but the company shall not be obliged to accept such lands as part of the said subsidies, but may select other lands which shall be granted to the company out of lands to be set apart in the same manner as is provided in sub-section 2 of section 8 of this Act in the case of lands unfit for settlement or valueless. 25 30 35

(6) None of the spruce timber on the lands so granted to the company shall be exported in an unmanufactured condition from Canada, but the same shall be made into pulp, paper or other finished or partially finished articles of commerce within Canada, and all patents of lands granted to the company shall contain a condition that all ores, minerals, and timber upon the said lands shall be subject to such regulations as to treating and refining the ores and minerals and manufacturing the timber within Canada as may be applicable from time to time to other lands within the Province under any general law. 40 45

9. The following conditions shall be fulfilled and performed to enable or entitle the company to receive or obtain any of the land grants hereinbefore provided, except as provided in sections 6 and 10 hereof, namely:—

5 (1) The company's line of railway between the said Town of Meaford and Owen Sound and between the said Town of Wiarton and the said Town of Sudbury shall be surveyed and located between the said towns by the company on or before the 1st day of June, 1902, and the surveying and engineering  
10 work along the said section of railway shall be actively proceeded with during the present year. The construction of the said section shall be commenced at the said towns (if not then already commenced) and at least 30 miles completed on or before the 1st day of May, 1902, and carried on with  
15 due expedition and the entire railway shall be completed for the distance of 285 miles or thereabouts, on or before the 1st day of June, 1906.

(2) The company shall commence or cause to be commenced the erection of smelting works within six months after the  
20 passing of this Act and shall complete the same to a capacity of 300 tons of ore daily within two years of the commencement thereof. Such works shall be located at some point or points conveniently adjacent to the said line of railway.

(3) The company shall establish or cause to be established within ninety days after the passing of this Act a  
25 Steamship Line for the transportation of freight and passengers between Windsor, Sarnia, Goderich, Kincardine, Southampton and Little Current, and operate the same during the navigable season of the year until the completion of the  
30 said line of railway.

(4) The company shall in every year during the ten years next after the passing of this Act place upon their said lands or the lands of the Crown adjacent thereto, at least one  
35 thousand male settlers who shall each be of the age of sixteen years or over, and who shall each build or have built for him before or within one year of his being placed upon the said land a house thereon fit for habitation at least sixteen feet by twenty feet, with other necessary buildings, and who (in the case of agricultural settlers) shall also each perform within the  
40 time specified by *The Free Grants Act* the settlement duties as to residence, clearing and cultivation by the said Act required in order to entitle a free-grant settler to a patent of two hundred acres of land. Employees engaged in constructing said lines of railway and artisans, operatives and other em-  
45 ployees and settlers now residing in said districts shall not be included in the designation "settler," but regular employees of the company and other artisans and operatives in the employment of any mining, industrial or manufacturing establishment in townships or municipalities in the Districts of Manitoulin and Algoma, through which the lines or branches of

said railway may pass and being actual residents in such townships or municipalities shall be included in the designation "settlers." Provided that every settler's son, who is of the age of 16 years or over, and who resides with his father shall count as a settler within the meaning of this paragraph and the foregoing requirements as to the building of a separate house and other buildings shall not apply in the case of any such settler's son resident with his father. 5

**10.** Upon complying with the conditions contained in subsection 2. of section 9 hereof, and upon the completion of each section of the said railway of not less than ten miles in length, then upon the application of the company, and upon the company furnishing satisfactory evidence that the number of settlers or proportion thereof required by the Act have been placed on such lands within the meaning of subsection 5 of section 9 hereof, for each of such ten mile sections, the Lieutenant-Governor in Council shall declare that any lands or any portion thereof, which may have been granted to the company under section 6 or other provisions of this Act shall thereupon be vested in the company in fee simple and freed from all the conditions mentioned and set forth in section 9 of this Act. 10 15 20

**11.** The grant to the company of the lands applicable to the company's ferry line shall not be made until the company has constructed a railway terminal at a suitable point on the north shore of the county of Bruce, and also at a suitable point on Fitzwilliam Island, or on the south-east shore of Manitoulin Island, and until the company put into operation a steel car ferry capable of maintaining throughout the year daily communication between the said terminals, such terminals and car ferry to cost at least \$300,000, and to be in operation on or before the first day of May, 1906. 25 30

**12.** The granting of such subsidy and the receipt thereof by the company shall be subject to the condition that the Lieutenant-Governor in Council may at all times require the company to provide and secure to the Grand Trunk Railway Company, the Canadian Pacific Railway Company, and to other railway companies, or any of them, such running powers, traffic arrangements and other rights over and in respect of the company's railway as will afford to all railways connecting with the said line so subsidized, reasonable and proper facilities in exercising such running powers, fair and reasonable traffic arrangements with connecting companies and equitable mileage rates between all such connecting railways, provided however that the company shall not be required to provide and secure such powers and rights to the Grand Trunk Railway of Canada unless and until the said Grand Trunk Railway Company of Canada has first agreed to provide and secure equal running rights, powers and arrangements to the company and the Canadian 35 40 45 50

Pacific Railway Company and all companies whose railways connect with the company's railway over and in respect of the lines of the Grand Trunk Railway Company of Canada between Warton and Owen Sound.

5 **13** The rates for passengers and freight which may be charged by the said company on the said railway, shall be such as may be agreed to by the Lieutenant-Governor in Council, and the company shall comply with any conditions now or hereafter imposed by any act respecting the granting of aid to  
10 railways.

**14.** The company shall when required produce and exhibit to the Commissioner of Public Works, or any person appointed by him, all books, accounts and vouchers showing the cost of constructing the railway, and all other outlays, the cost of operating  
15 it and the earnings thereof and shall transfer its franchise and undertaking and all rights and titles to the said railway, terminals and all its real estate and personal property including leases, contracts of carriage and of every other description whatsoever so far as by law assignable (save and excepting the  
20 lands to be granted to the company hereunder) to His Majesty the King as represented by the Commissioner of Public Works for Ontario upon being paid the actual cost and outlays of and incidental to the construction of the works and undertaking, including cost of all said real estate and personal property  
25 and of working expenditure as defined by *The Railway Act of Canada*, including a reasonable cumulative interest on such investment not less than six per centum per annum after deducting the subsidies hereinbefore granted which shall be computed at the rate of 50 cents per acre and also the traffic receipts of said railway and 50 per cent of any subsidies which  
30 have been or may hereafter be granted to the said company by the Parliament of Canada. The said option or right to purchase as aforesaid shall be exercised within fifteen years from the passing of this Act, otherwise this provision shall become  
35 null and void.

**15.** The provisions of the Act chaptered 26 of the Revised Statutes of Ontario, 1897, shall not apply to any portion of the lands to be granted to the railway company as aforesaid. Rev. Stat., c. 25, not to apply.

**16.** If the railway company fail to comply with any of the provisions contained in sections 12 and 13 of this Act it shall  
40 forfeit to His Majesty a sum not exceeding \$500.00 for every day during which such default continues, to be recovered at the suit of the Attorney-General, who shall also be entitled to take proceedings by way of injunction to prevent the infringement of any of the provisions of this Act or to enforce the  
45 performance thereof by the company. Penalty for violating sections 10-11.

**17.** An agreement shall be entered into between His Majesty and the company embodying the provisions of sec-

tions 12 and 13 of this Act, and in and by such agreement it shall be provided that the company will make an application to the Parliament of Canada for an Act to ratify, confirm and make binding upon the company and its assigns the provisions of such agreement including the provisions of sections 5 12 and 13 and in the event of the company, prior to the passage of such Act of the Parliament of Canada, failing to comply with the provisions of such agreement including the provisions of sections 12 and 13, then any portion of the said subsidies then remaining ungranted may be withheld until the 10 company complies with such provisions and secures the passage of the said Act of the Parliament of Canada.



No. 190.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

An Act respecting aid by Land Grant to  
the Manitoba and North Shore  
Railway Company.

First Reading, 2nd April, 1901.

Mr. Ross.

TORONTO

PRINTED BY L. K. CARROLL,  
Printer to the King's Most Excellent Majesty.



An Act respecting Aid by Land Grant to the Manitoulin and North Shore Railway Company.

WHEREAS the Manitoulin and North Shore Railway Company, hereinafter called the "Company," has been duly incorporated by the Parliament of Canada and is empowered to construct a line of railway from Little Current northward 100 miles, and a branch line from a point on the said line of railway to Sudbury, and also from Little Current thence south-easterly to a point on the south shore of Fitzwilliam Island, and from a point near Tobermory thence south and easterly to Meaford, passing through or near Wiarton and Owen Sound; and whereas the said line of railway will furnish much needed railway facilities for Manitoulin Island, and important portions of the Districts of Algoma and Nipissing; and whereas the said line of railway will aid materially in developing the resources of the said Districts and in securing to the Province the benefits arising from the extensive development operations which are to be carried on in the said districts; and whereas the said line of railway will furnish new and direct means of communication between the older settled part of the Province of Ontario and that part of the Province commonly referred to as New Ontario and with Manitoba and the North-West Territories, and whereas it is intended that running powers over the said railway shall be reserved and given to all other railway companies connecting with the said railway so as to afford facilities for the development of trade between the older settled part of the Province and the country through which the said railway is to be constructed.

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. The Lieutenant Governor-in-Council may set apart out of the ungranted lands of Ontario and within the District of Algoma and grant as subsidies to the company—10,000 acres of land per mile of the company's line of railway from Meaford to Owen Sound, a distance of 21 miles.

10,000 acres of land per mile of said line of railway from Wiarton, passing through the Town of Little Current, in the District of Manitoulin, to White Fish River, in the District of Algoma, but not including 15 miles of water communication, a distance of 105 miles of railway or thereabouts;

10,000 acres of land per mile for the company's steel car ferry line from Tobermory or some other suitable harbour on the north shore of the county of Bruce to Fitzwilliam Island or to the south-east shore of Manitoulin Island, a distance of 15 miles or thereabouts;

7,400 acres of land per mile of said line of railway from White Fish River to Onaping Station on the Canadian Pacific Railway line, a distance of 45 miles or thereabouts;

7,400 acres of land per mile of said line of railway from a point on the said railway at or near the south east corner of the township of Trill, to Sudbury, a distance of 30 miles or thereabouts; and

7,400 acres of land per mile of the said line of railway from the said point at or near the south east corner of the township of Trill to a point 130 miles westerly towards Michipicoten or Batchewana Bay.

2. The said lands shall be set apart in alternate blocks of one or more not exceeding three townships of six miles square within a distance of eighteen miles of the Company's railway or any extension or branches thereof, or within eighteen miles of the main line of the Canadian Pacific Railway between Onaping station and Chapleau station, or within eighteen miles of any other line of railway within the said district connecting with the Manitoulin and North Shore Railway, or in such other localities within the district of Algoma as may be designated by the Lieutenant-Governor in Council. Each township or block shall contain as nearly as may be 23,040 acres or multiples thereof, but not exceeding 69,120 acres, subject to such modifications as may be necessary for purposes of survey or other purposes required by the Commissioner of Crown Lands.

3. None of such lands between the main line and the Sault Ste. Marie branch of the Canadian Pacific Railway shall be so set apart east of the township of Trill or of its eastern boundary produced due north and south.

4. The location of the lines of the company's railway for the construction of which the said subsidies are granted shall be subject to the approval of the Commissioner of Public Works, having regard to the feasibility of the route and engineering difficulties of construction.

Survey of  
granted lands

5. The unsurveyed lands to be granted shall be surveyed by the company, and the plans and field notes thereof filed in the Department of Crown Lands, and such work shall be done at the company's own expense; the surveys shall be in accordance with the system of surveys prescribed for the crown lands on the north shores of lakes Huron and Superior and shall be subject to the inspection and approval of the Commissioner of Crown Lands.

6. Upon the construction and completion of any section of the railway not less than ten miles in length, so as to admit the regular running of trains thereon, and upon the furnishing such equipment therefor as shall be required for traffic, the Lieutenant-Governor in Council, upon the request of the company shall grant to the company the lands applicable to such section according to the appropriation thereof made as hereinbefore provided, but subject to the provisions of this Act.

7.—(1) The lands hereinbefore set forth to be granted to the company shall be granted in fee simple, and such grant shall include all ores, mines and minerals, base and precious, and all powers, rights and privileges appertaining thereto, excepting those hereinafter expressly reserved.

(2) The lands granted to the company shall be subject to all the provisions of *The Mines Act*, and to all regulations made or to be made thereunder, saving and excepting Parts II. and III. thereof.

(3) All red and white pine timber on lands granted to the company shall be reserved to the Crown and be the property of His Majesty, and the same may be placed under timber license to licensees of the Crown, as provided by the Regulations of the Crown Lands Department; and the right may be granted by the Crown to enter upon the said lands, make roads thereon and do all things necessary for the removal of the said pine timber.

(4) Where said lands shall have been duly and legally sold by the company or settled upon, the purchasers or settlers thereof or thereon shall have the right to cut and use such pine timber as they may require for mining purposes or for building and fencing on the land on which they are settled, and may also cut and dispose of all pine trees required to be removed in the actual clearing of such land for agricultural or mining purposes, but no pine tree (except for the purposes aforesaid) shall be cut beyond the limit of such actual clearing, and pine trees cut in the process of clearing and disposed of shall be subject to the payment of the same dues as are at the time payable by the holders of licenses to cut timber or saw logs, but townships valuable for pine shall not be opened by the company for settlement without the consent of the Commissioner of Crown Lands.

(5) In case any portion of the said blocks of land laid out for the company are found to contain only scattered pine timber so that in the opinion of the Commissioner of Crown Lands such pine is not of sufficient value to justify its being put up for sale, the company shall have the right with the approval of the Commissioner to cut the timber on such lands, but shall pay in respect thereof the same dues as are payable by Crown timber licensees.

When Block  
includes set-  
tled lands.

When grant  
to be made.

8.—(1) Where a block of land allotted to the company includes within its limits lands located or claimed by settlers or others having any right or interest therein under any Act of this Province either as purchasers from the Crown or as *bona fide* applicants therefor the lands so settled upon, purchased or applied for shall not be included in the block of land allotted to the company, but the company shall be entitled to an equal acreage of other lands in lieu thereof to be allotted in the manner provided in sub-section 2 hereof.

Where lands  
through  
which railway  
runs are  
valueless.

(2) In the case of any lands which in the opinion of the Commissioner of Crown Lands are unfit for settlement or absolutely valueless for any other purpose, other lands may be set apart and substituted therefor, and the Lieutenant-Governor-in-Council may grant such other lands to the company in lieu of the lands for which they are substituted.

(3) Where the pine has not already been sold in townships or blocks allotted to the company, or in the adjoining townships the right to cut such pine on such townships so allotted and on the adjoining townships shall upon the request of the company or within one year after the work of construction therein has been actually commenced be offered for sale by public auction subject to the usual conditions and regulations respecting sales of the right to cut timber on Crown Lands. No spruce or other timber not already sold by the Crown on townships and blocks which may reasonably be expected to be comprised within territory wherein lands shall be allotted to the company under the provisions hereof, shall be sold or otherwise disposed of until such allotment be made to the said company of the township or blocks in that vicinity, the line of railway to be located approximately and a plan or map thereof to be filed in the Crown Lands Department within one year from the passing of this Act.

(4) The right to cut the pine upon the said townships or blocks allotted to the company as well as that on the adjoining townships or blocks shall be sold subject to the condition that a part of the same shall be cut each year and that all shall be removed within such period not exceeding ten years, as the Commissioner of Crown Lands prescribes, and any pine remaining uncut at the expiration of the said period on lands granted to the said company shall become the absolute property of the said company but it shall pay in respect thereof the same dues as are payable by Crown timber licensees.

(5) Where the pine and other timber on such alternate blocks or townships have been sold prior to the passing of this Act under regulations respecting sales of the right to cut timber on Crown Lands or where any person or corporation has acquired any rights to any of the timber on such blocks or townships or portions thereof under any act of this Province the company if it select such townships or said portions thereof shall hold the same subject to all the rights and

privileges of such person or persons corporation or corporations so holding such interests therein, but the company shall not be obliged to accept such lands as part of the said subsidies, but may select other lands which shall be granted to the company out of lands to be set apart in the same manner as is provided in sub-section 2 of section 8 of this Act in the case of lands unfit for settlement or valueless.

(6) None of the spruce timber on the lands so granted to the company shall be exported in an unmanufactured condition from Canada, but the same shall be made into pulp, paper, or other finished or partially finished articles of commerce within Canada, and all patents of lands granted to the company shall contain a condition that all ores, minerals, and timber upon the said lands shall be subject to such regulations as to treating and refining the ores and minerals and manufacturing the timber within Canada as may be applicable from time to time to other lands within the Province under any general law.

(7) All lands retained by the Crown and lying within six miles of the lines of said railway shall be opened for sale and settlement concurrently with the actual construction of such portions of the line within six miles of such lands, unless there is valuable pine thereon and in that event such lands shall be opened for sale and settlement within five years from the time of such construction or sooner if so directed by Order in Council and all other lands so retained by the Crown within eighteen miles of the said lines of the company, shall be opened for sale and settlement within one year from the time of the said construction unless there is valuable pine thereon and in that event such lands shall be opened for settlement within ten years from the time of such construction.

9. The following conditions shall be fulfilled and performed to enable or entitle the company to receive or obtain any of the land grants hereinbefore provided, except as provided in sections 6 and 10 hereof, namely:—

(1) The company's line of railway between the said Towns of Meaford and Owen Sound and between the said Town of Warton and the said Town of Sudbury shall be surveyed and located between the said towns by the company on or before the 1st day of June, 1902, and the surveying and engineering work along the said sections of railway shall be actively proceeded with during the present year. The construction of the said sections shall be commenced at the said towns of Meaford and Sudbury on or before the 1st day of May, 1902, and at least 30 miles completed on or before the 1st day of May, 1903, and that part of the road situated between Meaford and Owen Sound shall be completed on or before October 31st, 1903, and the entire railway

shall be completed for the distance of 330 miles or thereabouts, on or before the first day of December, 1906.

After the construction of the said railway from Whitefish river to Sudbury and the setting apart of the lands to be allotted in respect of such portion of the railway, 50 per cent. of the land subsidy earned in respect of any other portion of the railway in the District of Algoma shall be withheld unless and until it shall from time to time be satisfactorily made to appear to the Lieutenant-Governor in-Council that satisfactory progress has been made on those portions of the railway south of Whitefish river as will ensure the completion in all respects of the said railway system as a whole on or before the first day of December, 1906.

(2) The company shall commence or cause to be commenced the erection of smelting works within six months after the passing of this Act and shall complete the same to a capacity of 300 tons of ore daily within two years of the commencement thereof. Such works shall be located at some point or points conveniently adjacent to the said line of railway.

(3) The company shall establish or cause to be established within ninety days after the passing of this Act a Steamship Line for the transportation of freight and passengers between Windsor, Sarnia, Goderich, Kincardine, Port Elgin, Southampton and Little Current, and operate the same during the navigable season of the year until the completion of the said line of railway.

(4) The company shall in every year during the ten years next after the passing of this Act place upon their said lands or the lands of the Crown adjacent thereto, at least one thousand male settlers who shall each be of the age of sixteen years or over, and who shall each build or have built for him before or within one year of his being placed upon the said land a house thereon fit for habitation at least sixteen feet by twenty feet, with other necessary buildings, and who (in the case of agricultural settlers) shall also each perform within the time specified by *The Free Grants Act* the settlement duties as to residence, clearing and cultivation by the said Act required in order to entitle a free-grant settler to a patent of two hundred acres of land. Employees engaged in constructing said lines of railway and artisans, operatives and other employees and settlers now residing in said districts shall not be included in the designation "settler," but regular employees of the company and other artisans and operatives in the employment of any mining, industrial or manufacturing establishment in townships or municipalities in the Districts of Manitoulin and Algoma, through which the railway lines mentioned in section 2 or branches may pass and being actual residents in such townships or municipalities shall be included in the designation "settlers." Provided that every settler's son, who is of the age of 16 years or over, and who resides with his father shall count as a settler within the meaning of this para-

graph and the foregoing requirements as to the building of a separate house and other buildings shall not apply in the case of any such settler's son resident with his father.

**10.** Upon complying with the conditions contained in sub-section 2, of section 9 hereof, and upon the completion of each section of the said railway of not less than ten miles in length, then upon the application of the company, and upon the company furnishing satisfactory evidence that the number of settlers or proportion thereof required by the Act have been placed on such lands within the meaning of sub-section 5 of section 9 hereof, for each of such ten mile sections, the Lieutenant-Governor in Council shall declare that any lands or any portion thereof, which may have been granted to the company under section 6 or other provisions of this Act shall thereupon be vested in the company in fee simple and freed from all the conditions mentioned and set forth in section 9 of this Act.

**11.** The grant to the company of the lands applicable to the company's ferry line shall not be made until the company has constructed a railway terminal at a suitable point on the north shore of the county of Bruce, and also at a suitable point on Fitzwilliam Island, or on the south-east shore of Manitoulin Island, and until the company put into operation a steel car ferry capable of maintaining throughout the year daily communication between the said terminals, such terminals and car ferry to cost at least \$300,000, and to be in operation on or before the first day of May, 1906.

**12.** The granting of such subsidy and the receipt thereof by the company shall be subject to the condition that the Lieutenant-Governor in Council may at all times require the company to provide and secure to the Grand Trunk Railway Company, the Canadian Pacific Railway Company, and to other railway companies, or any of them, such running powers, traffic arrangements and other rights over and in respect of the company's railway as will afford to all railways connecting with the said line so subsidized, reasonable and proper facilities in exercising such running powers, fair and reasonable traffic arrangements with connecting companies and equitable mileage rates between all such connecting railways.

Provided however that the company shall not be required to provide and secure such powers and rights to any one of the said companies unless and until such company so desiring such rights shall have first agreed in writing with the said Manitoulin and North Shore Railway Company to provide and secure to the said Manitoulin and North Shore Railway Company such running powers, traffic arrangements and other rights over and in respect of any portions of such company's lines of railway so applying as the then Lieutenant-Governor in Council for Ontario may from time to time

deem fair and proper so as to afford to the said Manitoulin and North Shore Railway Company reasonable and proper facilities in exercising such running powers, fair and reasonable traffic arrangements and equitable mileage rates with such company.

**13.** The rates for passengers and freight which may be charged by the said company on the said railway, shall be such as may be agreed to by the Lieutenant-Governor in Council, and the company shall comply with any conditions now or hereafter imposed by any act respecting the granting of aid to railways.

**14.** The company shall when required produce and exhibit to the Commissioner of Public Works, or any person appointed by him, all books, accounts and vouchers showing the cost of constructing the railway, and all other outlays, the cost of operating it and the earnings thereof and shall transfer its franchise and undertaking and all rights and titles to the said railway, terminals, steel car ferry and all its real estate and personal property including leases, contracts of carriage and of every other description whatsoever so far as by law assignable (save and excepting the lands to be granted to the company hereunder) to His Majesty the King as represented by the Commissioner of Public Works for Ontario upon being paid the then value of the said undertaking, franchises, rights and property so purchased as represented by the earnings thereof, after deducting the subsidies hereinbefore granted which shall be computed at the rate of 50 cents per acre and 50 per cent of any subsidies which have been or may hereafter be granted to the said company by the Parliament of Canada and in the event of dispute the said purchase price may be determined by arbitration. The said option or right to purchase as aforesaid shall be exercised within fifteen years from the passing of this Act, otherwise this provision shall become null and void.

Rev. Stat., c.  
25, not to  
apply.

**15.** The provisions of the Act chaptered 26 of the Revised Statutes of Ontario, 1897, shall not apply to any portion of the lands to be granted to the railway company as aforesaid.

Penalty for  
violating sec-  
tions 10-11.

**16.** If the railway company fail to comply with any of the provisions contained in sections 12 and 13 of this Act it shall forfeit to His Majesty a sum not exceeding \$500.00 for every day during which such default continues, to be recovered at the suit of the Attorney-General, who shall also be entitled to take proceedings by way of injunction to prevent the infringement of any of the provisions of this Act or to enforce the performance thereof by the company.

**17.** An agreement shall be entered into between His Majesty and the company embodying the provisions of sections 12 and 13 of this Act, and in and by such agreement it



shall be provided that the company will make an application to the Parliament of Canada for an Act to ratify, confirm and make binding upon the company and its assigns the provisions of such agreement including the provisions of sections 12 and 13 and in the event of the company, prior to the passage of such Act of the Parliament of Canada, failing to comply with the provisions of such agreement including the provisions of sections 12 and 13, then any portion of the said subsidies then remaining ungranted may be withheld until the company complies with such provisions and secures the passage of the said Act of the Parliament of Canada.





No. 190.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

An Act respecting aid by Land Grant to  
the Manitowin and North Shore  
Railway Company.

First Reading, 2nd April, 1901.

Mr. Ross.

TORONTO:

PRINTED BY L. K. GAMMON,  
Printer to the King's Most Excellent Majesty.

## An Act respecting aid to Certain Railways.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. There shall be granted out of the consolidated revenue fund for the construction of the portions of railways hereinafter mentioned, the sums following, that is to say: Grants to certain railways.
- (1) To the Bracebridge and Trading Lake Railway, from the Town of Bracebridge to a point in the Township of McLean, at or near the incorporated village of Baysville, in the District of Muskoka, a distance not exceeding sixteen miles, a cash subsidy of \$3,000 a mile—\$48,000. Bracebridge and Trading Lake Ry. Co.
- (2) To the Bruce Mines and Algoma Railway, from a point at or near the village of Bruce Mines to a point at or near Rock Lake copper mines, in the district of Algoma, a distance not exceeding 13 miles, a cash subsidy of \$3,000 a mile—\$39,000. Bruce Mines and Algoma Ry.
- (3) To a railway from at or near Bolton Creek in the township of Oso, to the iron mines in the township of Lanark, a distance not exceeding 25 miles, a cash subsidy of \$3,000 a mile—\$75,000. Railway from Bolton Creek to Lanark iron mines.
- (4) To the Norwood and Apsley Railway from the village of Norwood, on the Canadian Pacific Railway, to a point at or near the village of Apsley in the township of Anstruther in the county of Peterborough, a distance not exceeding 25 miles, a cash subsidy not exceeding \$3,000 a mile. Norwood and Apsley Ry.
- (5) To the Thunder Bay, Nepigon and St. Joe Railway Company from the town of Port Arthur in a north-easterly direction towards Lake Nepigon, in the district of Algoma, a distance not exceeding 30 miles, a cash subsidy of \$2,000 a mile in addition to a land grant of 5,000 acres per mile. Thunder Bay, Nepigon and St. Joe Ry.
- (6) To a railway to connect the town of Burk's Falls with the navigable waters of the Magnetawan, \$10,000.

Information to be furnished by companies.

2. Each of the said companies shall furnish such information as to the location and plans of passenger and freight stations on the line of its railway as may from time to time be required by the Commissioner of Public Works, and in every case payment of the said subsidies, shall be subject to compliance with such directions as may be given by the Commissioner of Public Works from time to time for the erection of stations, the number of the same, and the intervals at which the stoppages shall be made at such stations for the accommodation of the public.

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Companies to comply with regulations.

3. Every company to which aid is granted by this Act shall comply with such regulations as may from time to time be made by the Lieutenant-Governor in Council for the protection from fire of the woods and forests adjoining the line of railway, and shall also adopt the latest appliances which are in use for the said purpose.

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Lapse of subsidies not earned in five years.

4. So much of the subsidies granted to each of the said railways as is not earned within five years from the time of the passing of this Act shall lapse and revert to the Consolidated Revenue Fund of the Province.

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Use of Canadian rolling stock, etc.

5. The subsidies hereby granted shall be subject to the condition that the companies to which the same are granted shall, as far as practicable, construct, equip and operate their lines of railway, with railway supplies and rolling stock of Canadian manufacture, whenever such railway supplies and rolling stock can be procured as cheaply and upon as good terms in Canada as elsewhere, having regard to quality and price among other things, and unless the Lieutenant-Governor in Council shall approve of the same being procured elsewhere.

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Companies not to amalgamate, etc., without sanction of Lieutenant-Governor.

6. The grants aforesaid are made subject to the condition that the company aided shall not amalgamate with any other company or lease or transfer the railway or its franchises, or make pooling arrangements as to rates for freight or other charges, or adopt any method for placing such railways under the management or control, in whole or in part, of any other railway or railways in any manner whatsoever, without the sanction of the Lieutenant-Governor in Council first had and obtained.

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Conditions as workmen.

7. The workmen, laborers, or servants employed in or about the construction of the said railway and each of them shall be charged fair and reasonable prices for any board, provisions, clothing and other necessaries of life, and reasonable comfort supplied by the company, their agents or any person or persons authorized by the said company to supply such goods and accommodation; and upon the breach of any of the provisions of this section or in the event of exorbitant charges being made by the railway company, their agents or other person or persons authorized by the railway company, there may be de-

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ducted and retained from moneys payable in respect of such unearned subsidy or hereafter to be granted subsidy, such amount as the Lieutenant-Governor-in-Council may think proper.

- 5 **8.** Suitable culverts and openings shall be made in water-<sup>Drainage.</sup> courses and at other points where necessary, to provide for the proper flow of surface water from adjacent lands; and where-  
 10 ever, under any Provincial Acts for the draining of farm lands it is found necessary to construct a culvert or deepen or enlarge  
 a culvert already made, the said railway companies, and each  
 15 of them, shall as a condition upon which such subsidy is granted, with the approval of the Lieutenant Governor in Council, be considered as "owner" of lands under the provisions of the "*Ditches and Watercourses Act*" and "*An Act Respecting the Construction of Drains.*"

- 9.** Before any subsidy so granted is paid an attested state-<sup>Particulars of</sup> ment signed by the president of the railway company aided cost of con- shall be filed with the Commissioner of Public Works showing struction.  
 20 the cost in detail of each ten-mile section of roadbed, includ- ing the cost of land, fencing, grading, ballasting, rails, ties, culverts, bridges and all material and labor and expert services in connection therewith, and the said company shall, when  
 25 required, produce and exhibit to the Commissioner of Public Works or any person appointed by him, all books, accounts and vouchers, showing the cost of constructing the railway and the cost of operating it, with the earnings thereof.

- 10.** Should the Lieutenant-Governor in Council at any<sup>Government</sup> time determine to acquire any of the said railways by arbitra-<sup>acquiring lines</sup> tion or otherwise, or expropriate any such railway, the subsidy added.  
 30 hereinbefore granted to the railway so acquired, together with one half of the subsidy granted the said railway by the Government of the Dominion of Canada, shall be deemed part payment of the amount fixed as the price to be paid for the railway by the Provincial Government.

- 35 **11.** The Lieutenant-Governor in Council may instruct the Secretary of the Provincial Board of Health to enforce such<sup>Sanitary regu-</sup> reasonable sanitary regulations on the works and in the camps lations at works and  
 40 connected therewith during the construction of any of the said railways as may be deemed necessary to maintain proper sani- camp.  
 tary conditions and accommodation, and contractors shall have at each camp a tent and stove where in case of emergency a patient suffering from a contagious disease may be isolated at once so as not to endanger the men in the camp.

- 12.** Sub-section 9 of section 31, of *The Railway Act of On-*<sup>Rev. Stat.</sup>  
 45 *tario* shall be amended by adding thereto the following:—<sup>c. 207, s. 31,</sup>  
<sup>subs. 9,</sup>  
<sup>amended.</sup>

And there shall be no secret special rates, rebates, draw-<sup>Secret rates.</sup>  
 backs or concessions to favoured shippers nor any act or thing that will affect or prevent free competition in any line or lines of trade.

Right of Government to appropriate lines.

**13.** The Government of the Province of Ontario reserves the right, at any time after the expiration of ten years, to appropriate any or all of the railways hereby aided.

Careying road making material.

**14.** Each of the said railways shall be obliged, upon the request of any township or county municipality through which the road passes, to carry roadmaking material, gravel or stone, required for improving any of the roads within such municipality, at the actual cost of handling and carriage. 5

Cancellation of grants made to Manitoulin and North Shore Ry. Co

**15.** All grants heretofore made by any Act of the Province of Ontario in aid of the Manitoulin and North Shore Railway 10 are hereby cancelled and the same shall lapse and revert to the Consolidated Revenue Fund of the Province.

Application of provisions as to payment of grants in scrip.

**16.** All the provisions of section 2 of chapter 35 of the Acts passed in the 52nd year of Her Majesty's reign respecting the option of substituting half yearly payments for forty years in 15 lieu of a cash payment, and all the conditions provided by section 3, of the said Act, shall apply to the grants hereby made and to the grants made by the Act passed in the 63rd year of the reign of Her late Majesty Queen Victoria, chapter- 20 ed 29.

Application of Rev. Stat. cap. 153, 1867.

**17.** All the provisions of *The Act to Secure Payment of Wages for Labor Performed in the Construction of Public Works*, of *The Act respecting Subsidies to Railways and to encourage the Manufacture of Railway Steel and Iron in the Province*, and of *The Ontario Railway Act*, shall apply to the 30 subsidies granted by this Act and the wages paid on any of the said works shall be such as are generally accepted as current for competent workmen in the respective districts where such railways are to be constructed.

68 Vic., cap. 25.





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No. 191.

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4th Session, 9th Legislature,  
1 Edward VII, 1901.

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BILL.

An Act respecting aid to Certain Railways.

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First Reading, 3rd April, 1901.

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Mr. LATRUFORD.

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TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

An Act respecting aid by Land Grant to the Thunder Bay, Nepigon and St. Joe Railway Company.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows :—

**1.** The Lieutenant-Governor in Council may set apart out 5,000 acres per mile to be granted to. 5 of the ungranted lands of Ontario five thousand acres of land for every mile of railway which may be constructed by the Thunder Bay, Nepigon and St. Joe Railway Company, from a point at or near the Town of Port Arthur, in a north-easterly direction towards Lake Nepigon, in the District of Algoma, a 10 distance not exceeding 30 miles.

**2** None of the lands to be granted shall be nearer to Port Arthur than ten miles, but such distance of ten miles shall be taken into account in reckoning the mileage for which a grant of land as aforesaid shall be made to the railway 15 company. Distance from Port Arthur at which lands to be granted.

**3.** The lands so to be granted shall be set apart in alternate blocks so that a block shall be granted to the railway company and a similar adjoining block reserved to the Province and so that the railway shall, as nearly as practicable, pass through 20 the centre of each according to its shortest dimensions. Each block or parcel shall contain, as nearly as may be, 50,000 acres and shall be rectangular in shape, so far as the conformation of the land permits, subject to such modifications as may be necessary for purposes of survey or any other purpose 25 required by the Commissioner of Crown Lands. Lands to be set apart in alternate blocks.

**4.** Where a block of land allotted to the company includes within its limits lands located or claimed by settlers or others having any right or interest therein under any Act of this Province, either as purchasers from the Crown or as bona fide 30 applicants therefor as mining locations or claims, or mining claims staked out at any time prior to the passing of this Act pursuant to the regulations in that behalf, notwithstanding that the said claims, or any of them, may have been so staked out within any area covered by any Order in Council with- 35 drawing iron-bearing lands from lease, license or other disposition, and notwithstanding that the same may have been so Where blocks set apart include lands settled or staked out as mining claims.

staked out during the period the said Orders in Council have been in force: the lands so settled upon, purchased or applied for, or staked out, shall not be included in the block of land allotted to the company but the company shall be entitled to an equal acreage of other lands in lieu thereof to be allotted in the manner provided in the next section. 5

Survey of lands.

5. The lands to be granted shall be surveyed by the railway company, and the plans and field notes thereof filed in the Department of Crown Lands, such work to be done by the railway company at its own expense; the surveys shall be in accordance with the system of surveys prescribed for crown lands on the north of Lakes Huron and Superior and shall be subject to the inspection and approval of the Commissioner of Crown Lands. From and after the passing of this Act for the period of one year no lands shall be located, leased or sold within ten miles on either side of the said lines of railway until the said block of land hereinbefore referred to has been surveyed and determined, but this provision shall not prevent persons having rights as locatees, purchasers or licensees within the meaning of section 4 of this Act, or persons claiming under them, from proving their title and receiving grants therefor pursuant to the statutes and regulations in that behalf. 15 20

Grant to be made on construction of ten miles.

6. Upon the construction of any portion of the railway not less than 10 miles in length, and the completion thereof, so as to admit the regular running of trains thereon together with such equipment thereof as shall be required for the traffic thereon, the Lieutenant-Governor in Council may grant to the company the land applicable thereto according to the appropriation thereof made as hereinbefore provided, but the granting of such land at any time, or for any such lengths of railway of not less than 10 miles each, shall not discharge the company from due observance of the conditions which at the time of any such grant or grants may not have been deemed completed. Examination into the work done, and acknowledgement of compliance with any conditions by the Government, shall not be final until the railway and all other works hereby undertaken to be done by the railway company or other companies shall have been completed. 25 30 35

Grant to be in fee and to include minerals etc.

7. The lands hereinbefore set forth to be granted to the said company shall be granted in fee simple, and such grant shall include all ores, mines and minerals: and shall also include the pine to be paid for by the company at a price to be determined as hereinafter provided, and also to be subject in addition to the payment of such dues as at the time the said pine is cut are payable by crown timber licensees on pine sold since 1892. 40 45

Proviso.

Provided that all patents of lands in the said railway block shall contain a condition that all nickel ore or combined ore of nickel and copper found on or in the said lands shall be

subject to such regulations as to treating or refining in Canada as may for the time being be applied to other lands of the Province under any general law.

5 **8.** On completion of the survey and the filing of the plans in the Department of Crown Lands the Commissioner of Crown Lands shall offer for sale by public auction the right to cut the pine timber (if any) on the reserved alternate blocks or on as many successive reserved, not less than five, as may be approved by the Commissioner of Crown Lands, subject to the usual conditions and regulations respecting sales of the right to cut timber on crown lands, and the average price per thousand feet, board measure realized for such pine timber at the said auction on the reserved block shall be the price to be paid as aforesaid by the company for each thousand feet of pine on the intervening block granted to them. The said price shall be paid by the said railway company with and in addition to the Crown dues. A part of the pine on the blocks of the railway company shall be cut each year, and the whole in ten years from the date of such sale on said reserved blocks.

Right to cut pine.

20 **9.** In case the payments be not made as hereinbefore provided the pine upon the blocks for which it is owing shall revert to the Crown and the right to cut the same may be sold by the Commissioner of Crown Lands in the same manner as he would have been entitled to sell the same if the pine had been reserved in the patents and the Commissioner may issue licenses to cut the same, and such licenses shall confer upon the licensees the like rights with reference to the pine, and to and upon the lands, as are conferred by licenses to cut timber on Crown Lands, subject, however, to any restriction contained in any such license.

Pine to revert to Crown if payment not made.

35 **10.** The right to cut the pine upon the said reserved blocks shall be sold subject to the condition that a part of the same shall be cut each year and that all shall be removed within ten years from the time of sale, or such lesser period as the purchaser may prefer.

Conditions on which pine to be cut.

40 **11.** In case any portions of the said blocks of land laid out for the company are found to contain only scattered pine timber so that in the opinion of the Commissioner of Crown Lands such pine is not of sufficient value to justify its being put up for sale, the company shall have the right with the approval of the Commissioner to cut the timber on such lands without payment of the said price but shall pay in respect thereof the same dues as are payable by Crown timber licensees as hereinbefore provided.

Scattered pine when company may be given right to cut.

45 **12** The lands granted to the said railway shall be subject to *The Mines Act*, and to all regulations made or to be made thereunder, saving and excepting Parts II. and III. thereof.

Lands to be subject to Mines Act.

Rev. Stat., c. 26, not to apply. **13.** The provisions of the Act, chaptered 26 of the Revised Statutes of Ontario, 1897, shall not apply to any portion of the lands to be granted the railway company as aforesaid.

Conditions in which grant to be made. **14.** The following conditions shall be fulfilled and performed to enable or entitle the company to have or obtain any of the land grants hereinbefore provided, except as provided in section 6 hereof: namely,

Time for commencement and completion of line. (1) The construction of the railway shall be commenced on or before the first day of April, 1902, and shall be completed on or before the first day of April, 1903, and in default the cash 10 subsidy granted to the said company may be withdrawn and paid to another company and the grant of lands hereby made may be cancelled.

Stations. (2) The said railway company shall when requested by the Commissioner of Crown Lands place a station for the accom- 15 modation of passengers and freight, as nearly as may be in the centre of each block of land whether allotted or reserved, subject to the approval of the Public Works Department, and shall survey a town plot in the neighborhood of each station in the company's blocks and as soon as the Lieutenant- 20 Governor-in-Council shall declare that occasion has arisen therefor shall build a school house and public hall sufficient for the requirements of a population of five hundred people at the least, and in accordance with plans previously approved of by the Commissioner of Public Works. 25

Number of settlers to be brought in each year. (3) The railway company shall every year during the ten years next after the passing of this Act, place upon their said land or the lands of the Crown adjacent to the line of the said railway, at least one hundred male settlers who shall each be of the age of sixteen years or over, and who shall each build or 30 have built for him before or within one year of his being placed upon the said land, a house thereon fit for habitation at least sixteen feet by twenty feet, with other necessary buildings, and who (in the case of agricultural settlers) shall also each perform within the time specified by 35 *The Free Grants Act* the settlement duties as to residence, clearing and cultivation by the said Act required in order to entitle a free grant settler to a patent of one hundred acres of land. Artisans, operatives and regular employees of the rail- way company or of any mining, industrial or manufacturing 40 establishments on the line of the said railway and being actual residents thereon shall be included in the designation "settlers" Provided that every settler's son, who is of the age of 16 years or over, and who resides with his father shall count as a settler within the meaning of this paragraph and the foregoing 45 requirements as to the building of a separate house and other buildings shall not apply in the case of any such settler's son resident with his father.

(4) None of the said pine timber nor any spruce pulpwood on the said railway lands shall be exported in an unmanufactured condition out of Canada, but the pine shall be manufactured into sawn lumber or square timber as required in respect of Crown timber by the manufacturing condition in Schedule A of the Act passed in the 61st year of Her Majesty's reign entitled An Act respecting the Manufacture of Pine cut on the Crown Domain, and the spruce pulpwood shall be made into pulp or paper within Canada.

Pine and spruce to be manufactured in Canada.

10 15. (1) In respect of the said conditions numbered (1), (2) and (3) of section 14 it is hereby declared and enacted that if the Lieutenant-Governor in Council at any time or times, deems that the railway company has in respect of any of the works to be done by the said company, respectively  
15 failed in commencing, constructing or proceeding therewith, in accordance with the provisions foregoing affecting such work, then the Lieutenant-Governor in Council may on notice to the said railway company and other companies and after hearing forfeit all right, claim or demand of or to  
20 any of the said lands whether the same have been patented under the aforesaid provisions or have not been patented; and notwithstanding that there may be no default by the railway company: The Lieutenant-Governor in Council may, nevertheless, relieve against any forfeiture deemed to have been incurred,  
25 and the waiving by the Lieutenant-Governor in Council of any forfeiture or of any matter or thing deemed to have been a forfeiture shall not affect the right of the Lieutenant-Governor in Council to revive such forfeiture in case any conditions on which it was waived is broken or to again declare a forfeiture  
30 in respect of the same matter or to declare forfeiture in respect of other matters at any subsequent time or times, but no forfeiture shall be made or declared of any lands previously sold by the said railway company to any bona fide settlers.

Forfeiture for non-compliance with conditions.

(2) Subject to any general or special Act applicable to said  
35 company it is further declared and enacted upon the said conditions numbered 1, 2 and 3, of section 14 being complied with by said railway company, and upon the said railway company giving such security as the Lieutenant-Governor in Council may require, then the whole of the said lands so  
40 granted to the said railway company shall be vested in the said company in fee simple and freed from all the conditions mentioned and set forth in the said section 14; and any other securities satisfactory to the government may from time to time be substituted for the security so given by the said rail-  
45 way company.

When lands to vest absolutely in company.

(3) Upon the completion of any section of the said railway not less than ten miles in length, the Lieutenant-Governor in Council upon the application of the said railway company and upon the said railway company furnishing such security for  
50 compliance with the said conditions as may be approved by the Lieutenant-Governor in Council, may declare that any

When ten mile sections to vest in company.

lands, or any portion thereof, which may have been granted to the company under the provisions of this Act, shall thereupon be vested in the said company in fee simple and freed from all the conditions mentioned and set forth in section 14 of this Act.

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Notification of intention to cut pine.

**16.** The railway company before cutting or allowing any other person to cut pine on any of the said lands shall from time to time notify the Crown Lands Department of its intention to cut such pine and the localities in which it intends to cut as aforesaid, and shall also make or cause to be made sworn returns of all pine timber cut on the said lands in the same manner and form as is required of licensees by the Crown Timber Regulations, and the Regulations from time to time in force in respect of licensees of Crown timber and for securing the due payment of timber dues and the provisions of any Act of the Legislature which may be in force for the same purpose shall apply to the said railway company and to the pine cut thereon so far as the same can be applied and are not inconsistent with this Act, as if the said company were licensees and the said timber were cut on Crown Lands.

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Rates for traffic to be subject to approval.

**17.** The rates for passenger and freight traffic which may be charged by the said company on the said railway shall be subject to the approval by the Lieutenant-Governor in Council and the company shall comply with any conditions now or hereafter imposed by any Act respecting the granting of aid to railways.

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Fire regulations.

**18.** The company shall comply with such regulations as may from time to time be made by the Lieutenant-Governor in Council for the protection from fire of the woods and forests adjoining the line of the railway, and shall also adopt the latest appliances which are in use for the said purpose.

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Penalty for non-compliance with conditions.

**19.** If the railway company fails to comply with any of the provisions contained in sections 17 and 18 of this Act, it shall forfeit to His Majesty a sum not exceeding \$500 for every day during which such default continues, to be recovered at the suit of the Attorney-General.

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No. 192.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

An Act respecting aid by Land Grant to  
the Thunder Bay, Nipigon and St. Joe  
Railway Company.

First Reading, 3rd April, 1901.

M. LATCHFORD.

TORONTO

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

An Act respecting aid by Land Grant to the Thunder Bay, Nipigon and St. Joe Railway Company.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:—

**1.** The Lieutenant Governor in Council may set apart out of the ungranted lands of Ontario five thousand acres of land for every mile of railway which may be constructed by the Thunder Bay, Nipigon and St. Joe Railway Company, from a point at or near the Town of Port Arthur, in a north-easterly direction towards Lake Nipigon, in the District of Algoma, a distance not exceeding 30 miles. 5,000 acres per mile to be granted to.

**2.** None of the lands to be granted shall be nearer to Port Arthur than ten miles, but such distance of ten miles shall be taken into account in reckoning the mileage for which a grant of land as aforesaid shall be made to the railway company. Distance from Port Arthur at which lands to be granted.

**3.** The said lands shall be set apart in alternate blocks of one or more not exceeding three townships of six miles square within a distance of eighteen miles of the company's railway. Each township or block shall contain as nearly as may be 23,040 acres or multiples thereof, but not exceeding 69,120 acres, subject to such modifications as may be necessary for purposes of survey or other purposes required by the Commissioner of Crown Lands. Lands to be set apart in alternate blocks.

**4.** The unsurveyed lands to be granted shall be surveyed by the railway company, and the plans and field notes thereof filed in the Department of Crown Lands, and such work shall be done by the company at its own expense; the surveys shall be in accordance with the system of surveys prescribed for crown lands on the north of Lakes Huron and Superior and shall be subject to the inspection and approval of the Commissioner of Crown Lands. Survey of lands.

**5.** Upon the construction of any portion of the railway not less than 10 miles in length, and the completion thereof, so as to admit the regular running of trains thereon together with such equipment thereof as shall be required for the traffic Grant to be made on construction of ten miles.

thereon, the Lieutenant-Governor in Council may grant to the company the land applicable thereto according to the appropriation thereof made as hereinbefore provided, but the granting of such land at any time, or for any such lengths of railway of not less than 10 miles each, shall not discharge the company from due observance of the conditions which at the time of any such grant or grants may not have been deemed completed. Examination into the work done, and acknowledgement of compliance with any conditions by the Government, shall not be final until the railway shall have been completed.

Grant to be in fee and to include mineral etc.

6. The lands hereinbefore set forth to be granted to the said company shall be granted in fee simple, and such grant shall include all ores, mines and minerals base and precious.

- (2) The lands granted to the company shall be subject to all the provisions of *The Mines Act*, and to all regulations made or to be made thereunder, saving and excepting Parts II. and III. thereof.

(3) All red and white pine timber on lands granted to the company shall be reserved to the Crown and be the property of His Majesty, and the same may be placed under timber license and grant to licensees of the Crown; and the right may be granted by the Crown to enter upon the said lands, make roads thereon and do all things necessary to the removal of the said pine timber.

(4) Where said lands shall have been duly and legally sold by the company or settled upon, the purchasers or settlers thereof or thereon shall have the right to cut and use such pine timber as they may require for mining purposes or for building and fencing on the land on which they are settled, and may also cut and dispose of all pine trees required to be removed in the actual clearing of such land, but no pine trees (except for the purposes aforesaid) shall be cut beyond the limit of such actual clearing, and pine trees cut in the process of clearing and disposed of shall be subject to the payment of the same dues as are at the time payable by the holders of licenses to cut timber or saw logs, but townships valuable for pine shall not be opened by the company for settlement without the consent of the Commissioner of Crown Lands,

(5) In case any portion of the said blocks of land laid out for the company are found to contain only scattered pine timber so that in the opinion of the Commissioner of Crown Lands such pine is not of sufficient value to justify its being put up for sale, the company shall have the right with the approval of the Commissioner to cut the timber on such lands, but shall pay in respect thereof the same dues as are payable by Crown timber licensees.

7.—(1) Where a block of land allotted to the company includes within its limits lands or located or claimed by settlers or others having any right or interest therein under any Act of this Province either as purchasers from the Crown or as *bona fide* applicants therefor the lands so settled upon, purchased or applied for shall not be included in the block of land allotted to the company, but the company shall be entitled to an equal acreage of other lands in lieu thereof to be allotted in the manner provided in sub-section 2 thereof.

Where lands through which railway route are valueless

(2) In the case of any lands which in the opinion of the Commissioner of Crown Lands are unfit for settlement or absolutely valueless for any other purpose, other lands may be set apart and substituted therefor, and the Lieutenant-Governor-in-Council may grant such other lands to the company in lieu of the lands for which they are substituted.

(3) Where the pine has not already been sold in townships or blocks allotted to the company, or in the adjoining townships the right to cut such pine on such townships so allotted and on the adjoining townships shall upon the request of the company be offered for sale by public auction subject to the usual condition and regulations respecting sales of the right to cut timber on Crown Lands.

(4) The right to cut the pine upon the said townships or blocks allotted to the company as well as that on the adjoining townships or blocks shall be sold subject to the conditions that a part of the same shall be cut each year and that all shall be removed within such period not exceeding ten years, as the Commissioner of Crown Lands prescribes, and any pine remaining uncut at the expiration of the said period on lands granted to the said company shall become the absolute property of the said company but it shall pay in respect thereof the same dues as are payable by Crown timber licensees.

(5) Where the pine and other timber on such alternate blocks or townships have been sold prior to the passing of this Act under regulations respecting sales of the right to cut timber on Crown Lands or where any persons or corporations have acquired any rights to any of the timber on such blocks or townships or portions thereof under any act of this Province the company if it select such townships or said portions thereof shall hold the same subject to all rights and privileges of such person or persons corporation or corporations so holding such interests therein, but the company shall not be obliged to accept such lands as part of the said subsidies, but may select other lands which shall be granted to the company out of lands to be set apart in the same manner as is provided in sub-section 2 of section 8 of this Act in the case lands unfit for settlement or valueless.

(6) None of the spruce timber on the lands so granted to the company shall be exported in an unmanufactured condition from Canada, but the same shall be made into pulp, paper, or

other finished or partially finished articles of commerce within Canada, and all patents of lands granted to the company shall contain a condition that all ores, minerals, and timber upon the said lands shall be subject to such regulations as to treating and refining the ores and minerals and manufacturing the timber within Canada as may be applicable from time to time to other lands within the Province under any general law.

Rev. Stat., c. 26, not to apply. **8.** The provisions of the Act, chaptered 26 of the Revised Statutes of Ontario, 1897, shall not apply to any portion of the lands to be granted the railway company as afore-said.

Conditions in which grant to be made. **9.** The following conditions shall be fulfilled and performed to enable or entitle the company to have or obtain any of the land grants hereinbefore provided, except as provided in section 6 hereof; namely,

Time for commencement and completion of line. (1) The construction of the railway shall be commenced on or before the first day of April, 1902, and shall be completed on or before the first day of April, 1903.

Stations. (2) The said railway company shall when requested by the Commissioner of Crown Lands place a station for the accommodation of passengers and freight, as nearly as may be in the centre of each block of land whether allotted or reserved, subject to the approval of the Public Works Department, and shall survey a town plot in the neighborhood of each station in the company's blocks and as soon as the Lieutenant-Governor-in-Council shall declare that occasion has arisen therefor shall build a school house and public hall sufficient for the requirements of a population of five hundred people at the least, and in accordance with plans previously approved of by the Commissioner of Public Works.

Number of settlers to be brought in each year. (3) The railway company shall every year during the ten years next after the passing of this Act, place upon their said land or the lands of the Crown adjacent to the line of the said railway, at least one hundred male settlers who shall each be of the age of sixteen years or over, and who shall each build or have built for him before or within one year of his being placed upon the said land, a house thereon fit for habitation at least sixteen feet by twenty feet, with other necessary buildings, and who (in the case of agricultural settlers) shall also each perform within the time specified by *The Free Grants Act* the settlement duties as to residence, clearing and cultivation by the said Act required in order to entitle a free grant settler to a patent of one hundred acres of land. Artisans, operatives and regular employees of the railway company or of any mining, industrial or manufacturing establishments on the line of the said railway and being actual residents thereon shall be included in the designation "settlers"

Provided that every settler's son, who is of the age of 16 years or over, and who resides with his father shall count as a settler within the meaning of this paragraph and the foregoing requirements as to the building of a separate house and other buildings shall not apply in the case of any such settler's son resident with his father.

**10.** (1) In respect of the said conditions numbered (1), (2) and (3) of section 9 it is hereby declared and enacted that if the Lieutenant-Governor in Council at any time or times, deems that the railway company has in respect of any of the works to be done by the said company, respectively failed in commencing, constructing or proceeding therewith, in accordance with the provisions foregoing affecting such work, then the Lieutenant-Governor in Council may on notice to the said railway company and after hearing forfeit all right, claim or demand of or to any of the said lands whether the same have been patented under the aforesaid provisions or have not been patented; but no forfeiture shall be made or declared of any lands previously sold by the said railway company to any bona fide settlers.

Forfeiture for non-compliance with conditions.

**11.** The rates for passenger and freight traffic which may be charged by the said company on the said railway shall be subject to the approval by the Lieutenant-Governor in Council and the company shall comply with any conditions now or hereafter imposed by any Act respecting the granting of aid to railways.

Rates for traffic to be subject to approval.

**12.** The company shall comply with such regulations as may from time to time be made by the Lieutenant-Governor in Council for the protection from fire of the woods and forests adjoining the line of the railway, and shall also adopt the latest appliances which are in use for the said purpose.

Fire regulations.

**13.** If the railway company fails to comply with any of the provisions contained in section 9 of this Act, it shall forfeit to His Majesty a sum not exceeding \$500 for every day during which such default continues, to be recovered at the suit of the Attorney-General.

Penalty for non-compliance with conditions.







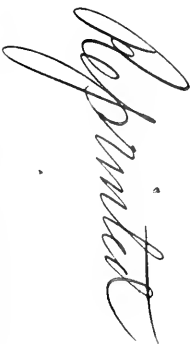
No. 192.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

An Act respecting aid by Land Grant to  
the Thunder Bay, Nipigon and St. Joe  
Railway Company.

First Reading: 3rd April, 1901.



MR. LATCHEFORD,

TORONTO

PRINTED BY E. K. GAMMON,  
Printer to the King's Most Excellent Majesty.

## An Act respecting Upper Canada College.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :—

1. Section 4 of *The Upper Canada College Act, 1900.* 63 V. c. 55, s. 4, amended. is hereby amended by adding to said section 4 the following subsections :—

(6) All property real and personal which is vested hereby in the said trustees or shall hereafter become vested in them shall for the purposes and within the meaning of *The Assessment Act* be deemed to be vested in the said trustees in trust for the public uses of the Province and notwithstanding the vesting of the said property and effects real and personal in the said trustees such property and effect shall remain exempt from taxation in the same manner and to the same extent as such property was heretofore exempt by virtue of being vested in the Crown for the purposes of Upper Canada College. Exemption from taxation of property held by trustees.

(7) Such exemption shall also apply to all property real and personal which may hereafter be acquired by or be granted, levied or bequeathed to or for the College for the purpose and support of the College. Extent of exemption.

(8) And such exemption shall also apply to any property or effects real and personal as aforesaid when such property or effects real or personal as aforesaid are occupied or used by the principal or any master or other instructor of the College or by any person bona fide in connection with the College. Property used by officers of College.

(9) No real estate or any interest therein so vested in the trustees for Upper Canada College shall be liable to be expropriated by any municipality, corporation or person for any purpose whatsoever without the consent of the trustees. Property not liable to expropriation.

No. 193.

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

An Act respecting Upper Canada College

First Reading, 4th April, 1901.  
Second Reading, 4th April, 1901.

MR. HARCOURT.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

An Act to provide for the Incorporation of Towns  
in Territorial Districts.

**H**IS MAJESTY, by and with the advice and consent of the  
Legislative Assembly of the Province of Ontario, enacts  
as follows:—

1. The inhabitants of any locality in any of the Districts of  
5 Muskoka, Parry Sound, Nipissing, Algoma, Manitoulin,  
Thunder Bay and Rainy River or partly in one and partly in  
another of such districts, such locality having an area of not  
more than 750 acres, and having a population of at least five  
hundred persons, may be constituted a body corporate in the  
10 manner hereinafter provided, to be called "The Corporation  
of the Town of . . ."

Incorporation  
of towns in  
districts.

2. The Lieutenant-Governor, upon the receipt of a petition  
signed by at least seventy-five male inhabitants of any such  
locality, of the age of twenty-one years or over, which petition  
15 shall set out the metes and boundaries of the locality, and,  
approximately the number of persons resident therein, and  
about the area in acres of such locality, may, by Order-in-  
Council, issue a proclamation under the Great Seal of the Pro-  
vince, declaring that from and after a day to be named therein,  
20 the said inhabitants shall be constituted a body corporate  
under the name of "The Corporation of the Town of  
" (naming the same), and such proclamation shall  
also describe the limits of the town and shall state the date  
and place for the nomination of candidates for the first election  
25 of the municipal council of the town and the date and place  
for holding the same and shall appoint a Returning Officer to  
hold the said election, and shall name the time and place for  
summing up the votes and declaring the result of the election,  
and the time and place for the first meeting of the council of  
30 the town.

Proclamation  
of Lieutenant-  
Governor.

3. The duties, powers and privileges of every town incor-  
porated under this Act and of the council thereof, shall, except  
as otherwise provided in this Act, be similar to the duties,  
powers and privileges of villages and of the councils thereof  
35 under *The Municipal Act*, and the powers of such town shall  
be exercised by the council thereof.

Duties and  
powers of  
towns so  
incorporated.

Council, how  
composed.

4. The council of every such town shall consist of a mayor, who shall be the head thereof, and four councillors to be elected by general vote.

First election  
in unorgan-  
ized territory.  
Rev. Stat.  
c. 225.

5. In the case of any town incorporated under this Act comprising territory which does not form part of any incorporated municipality, sections 6, 7, 9, 10, 11, 12, 13 and 14 of *The Act respecting the establishment of Municipal Institutions in Territorial Districts* shall apply to the first election held under this Act.

First election

6. The first nomination and election of the members of the council of any town incorporated under this Act, shall take place on the dates mentioned in the proclamation and save as otherwise provided by sections of this Act, shall be conducted in the manner provided in *The Municipal Act* for the nomination and election of members of the first council of the incorporated village, and the duties of the returning officer shall be similar to those required by *The Municipal Act*, in respect of elections in incorporated villages, and all subsequent nominations and elections shall be conducted in the manner provided by the said Act.

Subsequent  
elections.

Declaration of  
officers.

7. Except as in this Act provided with respect to the first election in the towns mentioned in section 5, the several persons who shall be elected or appointed as members of the council or as officers of any town incorporated under this Act, shall respectively take the declaration of office and qualification required by the existing municipal laws of Ontario to be taken respectively by persons elected or appointed to like positions and offices in villages in the said districts, and the said persons respectively shall possess such qualifications.

Clerk.

8. The returning officer appointed by such proclamation shall be the clerk of such town until a clerk is appointed by the council in the manner provided by *The Municipal Act*.

Separation  
from township  
municipality.

9. Where any locality, the inhabitants of which are incorporated as a town under this Act, was formerly, wholly or partly within a township or union of townships organized under *The Act respecting the Establishment of Municipal Institutions in Territorial Districts* the said town shall by virtue of such incorporation, be separated from the township or union or townships for municipal purposes and all the provisions of *The Municipal Act* respecting the matters consequent upon the incorporation of a village or town which includes territory forming part of a township municipality, and its separation from such municipality shall, so far as applicable, apply to the town so incorporated under this Act, and to its separation from such township or union of townships.

Rev. Stat.  
c. 225.

10 **10.** The provisions of *The Municipal Act* and the amend- Application of  
 ments thereto relating to matters consequent upon the for- Rev. Stat. c.  
 mation of new corporations, and all the provisions of the said 223.  
 Act and amendments and any other general Act applicable to  
 5 villages incorporated under or subject to *The Municipal Act*,  
 and to the councils and officers thereof, shall, so far as appli-  
 cable, and except as otherwise provided in this Act, apply to  
 towns incorporated under this Act and to the councils and  
 officers thereof.

10 **11.** A census of any town incorporated under this Act may Census.  
 at any time be taken under the authority of a by-law of the  
 council thereof.

15 **12.** In case it appears by the census when taken under such When powers  
 by-law, or under any such Statute, that a town incorporated of town may  
 15 under this Act contains over one thousand inhabitants, the be enlarged.  
 Lieutenant-Governor may, by Order-in Council, issue a procla-  
 mation under the Great Seal of the Province, declaring that  
 such town shall, from and after a date to be named in such  
 proclamation be subject to and possess all the duties, powers  
 20 and privileges of towns under *The Municipal Act*, and from Rev. Stat.  
 and after the said date such town shall be subject to and pos- c. 223.  
 sess such duties, powers and privileges, and all provisions of  
*The Municipal Act* and the amendments thereto, and of all  
 other general Acts applyng to villages erected into towns  
 25 under *The Municipal Act*, shall, so far as applicable, apply to  
 the town to which such proclamation refers.

**13.** The expense incurred in pr curing incorporation of a Expenses of  
 town under this Act, and in all matters whatsoever connected incorpora-  
 therewith or incidental thereto, shall be borne by the town so tion.  
 30 incorporated, and paid by it to any party entitled thereto.

No. 194

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4th Session, 9th Legislature,  
1 Edward VII., 1901.

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BILL.

An Act to provide for the Incorporation of  
Towns in Territorial Districts.

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First Reading, 4th April, 1901.

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MR. GIBSON.

TORONTO :

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.



An Act to extend the duration of the Legislative  
Assembly of the Province of Ontario.

WHEREAS by section 85 of *The British North America Act, 1867*, the duration of the Legislative Assembly of Ontario was fixed at a period of four years; and whereas by section 3 of chapter 12 of the Revised Statutes of Ontario, 1897, every Legislative Assembly shall continue for four years from the fifty-fifth day after the writs for the election and no longer, subject to being sooner dissolved by the Lieutenant-Governor; and whereas it has been found more convenient for the Legislative Assembly not to assemble until at least thirty days after the close of the financial year, at which time the public accounts and departmental reports can be submitted for the consideration of the Assembly; and whereas the term of the present Legislative Assembly expires under said chapter 12, Revised Statutes Ontario, 1897, on or about the twenty-ninth day of March, 1902, and consequently the course of its business is rendered liable to be interrupted by effluxion of time; and whereas by section 92 of *The British North America Act* power is given exclusively to the Assembly in each province to legislate among other things in relation to this matter:—

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. It shall be lawful for the Legislature of the Province of Ontario, should the Legislature be in session when the present Legislative Assembly would have completed the term of four years, to continue until such business as may be brought before the said Legislative Assembly is disposed of and the Legislature prorogued by His Honour the Lieutenant-Governor and for ten days thereafter and no longer. Continuance of Assembly until end of session.
2. The foregoing provision shall in no way interfere with the right of the Lieutenant-Governor of the Province to dissolve the Legislature sooner if he deems it advisable. Right of dissolution preserved.
3. This Act shall apply only to the duration of the present Legislative Assembly. Application of Act.

No. 195.

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4th Session, 9th Legislature,  
1 Edward VII., 1901.

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BILL.

An Act to extend the duration of the Legislative Assembly of the Province of Ontario.

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First Reading, 9th April, 1901.

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Mr. ROSS.

TORONTO:

PRINTED BY E. K. CAMERON,

Printer to the King's Most Excellent Majesty.

An Act for granting to His Majesty certain sums of money to defray the expenses of Civil Government for the year one thousand nine hundred and one and for other purposes therein mentioned.

MOST GRACIOUS SOVEREIGN :

**W**HEREAS it appears by messages from His Honour, the Honourable Sir Oliver Mowat, Lieutenant-Governor of Ontario, and the estimates accompanying the same, that the sums hereinafter mentioned in the Schedules to this Act are required to defray certain expenses of the Civil Government of this Province, and of the public service thereof, and for other purposes for the year one thousand nine hundred and one : May it therefore please Your Majesty that it may be enacted, and it is hereby enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, as follows :—

**1.** From and out of the Consolidated Revenue Fund of this Province, there shall and may be paid and applied a sum (not exceeding in the whole) of four million and forty-four thousand, six hundred and two dollars and eighty-three cents, for defraying the several charges and expenses of the Civil Government of this Province for the year one thousand nine hundred and one as set forth in Schedule A to this Act ; and for the expenses of Legislation, Public Institutions' Maintenance and Salaries of the Officers of the Government and Civil Service for the month of January, one thousand nine hundred and two as set forth in Schedule B to this Act.

\$4,044,602.83  
granted out of  
the Consoli-  
dated Revenue  
Fund for cer-  
tain purposes.

**2.** Accounts in detail of all moneys received on account of this Province, and of all expenditures under Schedule A of this Act shall be laid before the Legislative Assembly at its next sitting.

Accounts to be  
laid before the  
Legislative  
Assembly.

**3.** Any part of the money under Schedule A, appropriated by this Act out of the Consolidated Revenue, which may be unexpended on the thirty-first day of December, one thousand nine hundred and one, shall not be expended thereafter, except in the payment of accounts and expenses incurred on or prior

Unexpended  
moneys.

to the said day; and all balances remaining unexpended after the twentieth day of January next shall lapse and be written off.

Expenditure  
to be account-  
ed for to His  
Majesty.

4. The due application of all moneys expended under this Act out of the Consolidated Revenue shall be accounted for to His Majesty.

5

### SCHEDULE A.

SUMS granted to His Majesty by this Act for the year one thousand nine hundred and one, and the purposes for which they are granted.

#### CIVIL GOVERNMENT.

*To defray the expenses of the several Departments at Toronto*

Lieutenant-Governor's Office .....	\$ 3,805 00	
Attorney-General's Department .....	18,000 00	
Education Department .....	20,780 00	
Crown Lands Department .....	65,800 00	
Public Works do .....	30,350 00	
Treasury do .....	31,475 00	
Provincial Secretary's Department .....	19,850 00	
Inspection Public Institutions .....	16,625 00	
Audit, License and Justice Accounts .....	9,800 00	
Registrar-General's Branch .....	12,175 00	
Provincial Board of Health .....	7,950 00	
Department of Agriculture .....	19,210 00	
Insurance Branch .....	8,450 00	
Neglected Children's Branch .....	6,000 00	
Miscellaneous .....	11,400 00	
		\$281,670 00

#### LEGISLATION.

To defray expenses of Legislation ..... \$133,000 00

#### ADMINISTRATION OF JUSTICE.

To defray expenses of Administration of Justice ..... \$455,214 97

## EDUCATION.

To defray expenses of :—

Public and Separate School Education . . . . .	\$482,072 06	
High Schools and Collegiate Institutes . . . . .	115,675 00	
Library and Museum . . . . .	8,000 00	
School of Practical Science . . . . .	29,800 00	
Public Libraries, Art Schools, Literary and Scientific . . . . .	58,000 00	
Technical Education . . . . .	10,000 00	
Miscellaneous . . . . .	14,075 00	
Superannuated Public and High School Teachers . . . . .	61,300 00	
		<hr/> \$778,922 06

## PUBLIC INSTITUTIONS' MAINTENANCE.

To defray expenses of :—

Asylum for the Insane, Toronto . . . . .	\$101,131 00	
Asylum for the Insane, London . . . . .	129,160 00	
Asylum for the Insane, Kingston . . . . .	75,699 00	
Asylum for the Insane, Hamilton . . . . .	122,762 00	
Asylum for the Insane, Mimico . . . . .	75,094 00	
Asylum for Insane, Brockville . . . . .	73,587 00	
Asylum for Senile Patients, Cobourg . . . . .	12,945 00	
Asylum for Idiots, Orillia . . . . .	61,617 00	
Central Prison, Toronto . . . . .	60,600 00	
Ontario Reformatory for Boys, Penetan- guishene . . . . .	25,752 50	
Institution for the Deaf and Dumb, Belleville.	44,504 00	
Blind Institute, Brantford . . . . .	32,782 00	
Andrew Mercer Reformatory for Women and Refuge for Girls, Toronto . . . . .	25,475 00	
		<hr/> \$841,108 50

## IMMIGRATION.

To defray expenses of a grant in aid of Immigration . . . .	\$4,825 00
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## AGRICULTURE.

To defray expenses of a grant in aid of Agriculture . . . .	\$213,542 00
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## HOSPITALS AND CHARITIES.

To defray expenses of a grant in aid of Hospitals and Charities . . . . .	\$192,531 83
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MAINTENANCE AND REPAIRS OF GOVERNMENT AND  
DEPARTMENTAL BUILDINGS.

Government House . . . . .	\$ 8,700 00
Parliament and Departmental Buildings . . . . .	40,040 00
Education Department (Normal School Build- ing) . . . . .	7,200 00

MAINTENANCE AND REPAIRS OF GOVERNMENT AND DEPARTMENTAL BUILDINGS.—Continued.

Miscellaneous .....	3,670 00	
Normal School, Ottawa .....	5,400 00	
Normal School, London .....	2,900 00	
School of Practical Science .....	3,525 00	
Agricultural College .....	8,270 00	
Osgoode Hall .....	8,640 00	
		\$88,345 00

PUBLIC BUILDINGS.

Asylum for the Insane, Toronto .....	\$ 9,300 00	
do Mimico .....	4,025 00	
do London .....	20,701 00	
do Hamilton .....	11,000 00	
do Kingston .....	11,645 00	
do Brockville .....	5,730 00	
Asylum for Idiots, Orillia .....	7,500 00	
Central Prison, Toronto .....	8,800 00	
Reformatory for Boys, Penetanguishene .....	2,200 00	
Reformatory for Females, Toronto .....	4,750 00	
Blind Institute, Brantford .....	4,000 00	
Deaf and Dumb Institution, Belleville .....	4,385 00	
Cobourg Asylum for Senile Patients .....	52,750 00	
Agricultural College and Experimental Farm, Guelph .....	34,500 00	
Normal and Model Schools, Toronto .....	1,750 00	
Normal and Model Schools, Ottawa .....	5,075 00	
Normal School, London .....	9,462 00	
School of Practical Science, Toronto .....	6,450 00	
School of Practical Science, New Building .....	50,000 00	
Osgoode Hall, Toronto .....	3,950 00	
New Parliament Buildings .....	3,200 00	
District of Algoma .....	6,275 00	
Thunder Bay District .....	900 00	
Muskoka District .....	550 00	
Parry Sound District .....	3,475 00	
Nipissing District .....	1,200 00	
Rainy River District .....	400 00	
Reformatory for Boys, Oxford .....	30,000 00	
		\$303,973 00

PUBLIC WORKS.

To defray expenses of Public Works .....	\$81,833 30
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COLONIZATION ROADS AND MINING ROADS.

To defray expenses of Construction and Repairs .....	\$140,075 00
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CHARGES ON CROWN LANDS.

To defray expenses on account of Crown Lands .....	\$162,575 00
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## REFUNDS.

Education .....	\$ 1,000 00	
Crown Lands .....	18,500 00	
Miscellaneous Refunds .....	350 00	
Municipalities Fund .....	486 64	
Land Improvement Fund .....	3,436 28	
	<u>          </u>	\$23,772 92

## MISCELLANEOUS EXPENDITURE.

To defray Miscellaneous Expenditure .....	\$213,214 25
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## UNFORESEEN AND UNPROVIDED.

To defray unforeseen and unprovided expenses .....	<u>50,000 00</u>
Total estimates for expenditure of 1901 .....	\$3,964,602 83

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 SCHEDULE B.

SUM granted to His Majesty by this Act for the year one thousand nine hundred and one and the purposes for which it is granted.

To defray the expenses of Legislation, Public Institutions' Maintenance, and for salaries of the officers of the Government and Civil Service for the month of January, 1902.....	<u>\$80,000 00</u>
Total.....	\$4,044,602 83







No. *196*

4th Session, 9th Legislature,  
1 Edward VII., 1901.

BILL.

An Act for granting to His Majesty certain sums of money to defray the expenses of Civil Government for the year one thousand nine hundred and one and for other purposes therein mentioned.

First Reading, 14 April, 1901.

Mr. ROSS.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.







